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**SAN FRANCISCO
PLANNING COMMISSION
SPECIAL MEETING**

Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place**

Thursday, January 6, 2005

12:00 PM

Regular Meeting

DOCUMENTS DEPT.

FEB 14 2005

SAN FRANCISCO
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COMMISSIONERS PRESENT: Michael J. Antonini, Dwight S. Alexander, Shelley Bradford Bell,
Kevin Hughes, Sue Lee, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 12:15 p.m.

EXECUTIVE SESSION

1. Review of resumes and applicants pool for the Director of Planning position.

SPEAKER(S): None

ACTION: The Subcommittee voted to Disclose no information (This action was taken during the Public Hearing at 1:30 p.m.)

PUBLIC COMMENT

At this time, members of the public may address the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of the Planning Commission. Each member of the public may address the Commission for up to three minutes.

None

Adjournment: 1:37 p.m.

**THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE
PLANNING COMMISSION ON THURSDAY, FEBRUARY 10, 2005.**

SPEAKERS: None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, January 6, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

FEB 14 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Dwight Alexander; Michael J. Antonini, Shelley Bradford Bell,
Kevin Hughes, Sue Lee; William L. Lee, Christina Olague

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 2:00 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning
Administrator; Dan Sirois; Tammy Chan; Joshua Switsky; Nora Priego – Transcription Secretary; Linda
Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.1106D (S. SNYDER: (415) 558-6543)
252 HOLYOKE STREET - east side between Felton and Burrows Streets; Lot 6 in Assessor's Block 5976 - **Request for Discretionary Review** of Building Permit Application No. 2003.09.19.5209, proposing vertical and horizontal front and rear additions to the single-family dwelling in an RH-1 (House, One-family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve as proposed.

(Proposed for Continuance to January 27, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 27, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

2. 2004.0798D (M. SMITH: (415) 558-6322)
2070 30TH AVENUE - east side between Pacheco and Quintara Streets, Lot 003M in Assessor's Block 2149 - **Request for Discretionary Review** of Building Permit

Application No. 2004.01.26.4825, proposing to construct a two-story horizontal addition at the rear of a single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of December 2, 2004)

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

3. 2004.0393C (G. CABREROS (415) 558-6169)
2443-2445 CLEMENT STREET - south side between 25th and 26th Avenues; Lots 035 and 036 in Assessor's Block 1457 - **Request for Conditional Use** Authorization under Planning Code Section 717.11 to allow development of a lot greater than 5,000 square feet in area in the Outer Clement Street Neighborhood Commercial District and a 40-X Height and Bulk District. The project proposes demolition of three non-residential structures and new construction of a 40-foot tall, four-story, mixed-used building with one ground-floor commercial space and nine residential units.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of November 4, 2004)
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

4. 2004.1033Z (P. LORD: (415) 558-6311)
ASSESSOR'S BLOCK 0185 REZONING - Consideration of an Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, **to change the use district designation of Assessor's Block 0185**, Lots, 005, 029, 030, 031, 032, 033, 036, 037, 038, 039, 040, 041, 043, and 048 (mid-block South side of Pacific Street between Hyde Street and Larkin Street) from NC-2 (Small-Scale Neighborhood Commercial District) and RH-1 (Residential: One Family) to RM-1 (Residential, Mixed: Low Density, making finding pursuant to Section 302 and, making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
Preliminary Recommendation: Approval
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Commission Comments/Questions

EXECUTIVE SESSION

1. Review of resumes and applicant pool for the Director of Planning position.

ACTION: The Subcommittee voted to disclose no information

Commission Secretary:

Re: Various Items

- 1) 2005 Planning Commission Meeting Schedule will go before the Commission on January 13, 2005.
- 2) Rules and Regulations will be scheduled on February 10, 2005.
- 3) It is important to notify the Commission Secretary or her staff whenever a Commissioner will either be late or absent. She passed a 2005 calendar so that Commissioners can indicate when they believe they might be absent.

Commissioner William Lee:

Re: Rincon Hill Plan

- He thanked Marshal Foster for the information he provided him regarding the Rincon Hill Plan.
- He received a copy of the ABAG report and there was very interesting information on San Francisco.

Re: Entertainment Commission

- Is there one person that the permitting section of the Entertainment Commission can work directly with at Planning?

Zoning Director Badiner Responded:

- He has been working with the Entertainment Commission and will be speaking about some introduced ordinance(s).
- Paul Lord of staff can be a contact person at Planning. He does not issue permits because those are distributed throughout the department. But he can be a point of contact.

Commissioner William Lee:

Re: Entertainment Commission

- When speaking with Bob Davis, he mentioned that when they have requests there is no one to contact.

Interim Director Macris responded:

- Planning staff will contact Bob Davis to communicate this information to him.

Commissioner Antonini:

Re: ABAG Report

- He would like all Commissioner to receive a copy of this report.

Re: Mayor's Office of Housing

- He received a report from Matt Franklin from the Mayor's Office of Housing and would also like all Commissioners to receive a copy.

Commissioner Bradford Bell:

- Wished everyone a Happy New Year.

C. DIRECTOR'S REPORT

6. Director's Announcements

Re: Personnel

- There has been progress in the personnel area of the department.
- This month there will be workshops at the Planner IV level speaking about management, administration, document keeping, productivity, etc.
- For this budget cycle, we must submit the budget to the Mayor's Office by February 22, 2005.

- Staff has already been holding meetings on creating a new fiscal budget.
- There was an idea to have a Planning Commission workshop on January 27, 2005 but it will be moved up to January 20, 2005.
- He has asked Larry Badiner and Amit Ghosh to give brief descriptions of what some of the initiatives are in the two parts of the department.

Zoning Administrator Badiner responded:

- The proposed workshop will consist of the process of identifying what direction and ideas the department is moving in.
- It will not be as detailed as counting the number of FTEs, etc.

Interim Director Macris responded:

- The information is based mostly on where the department wants to go in the next 18 months.
- Then staff will go back and discuss the more detailed information.

Zoning Administrator Badiner responded:

- A CAO, has been hired and will be dealing with Personnel, Finance and Information Services.
- Alicia JohnBaptiste, who is the Acting Finance Manager at MUNI, will be joining the department in the third week of January.
- She will blend into the management style of the department and give it a formal management technique.
- A billing clerk will not be hired yet since it is appropriate for Alicia to hire this person.
- The Planner I through V lists are at DHR. Formal lists will be issued the first week of February.
- Jeff Tully will be coming back to the department. He is an experienced preservation planner.
- Jean Paul Samaha, will be leaving the department. That position is filled from an on-going list and an appropriate way to fill this position will be looked at.
- There are Planner III positions that are permanent. We are looking at the list to fill these.
- The interviews for Environmental III are done and there have been offers to two candidates.
- Progress is being made on hiring for the positions approved in the budget.

Re: Neighborhood Planning

- There are major backlogs.
- The hiring of the new planners will help with this backlog.
- We are about seven positions down so the three positions coming in February will help a lot.
- Staff is exploring the idea of putting money in the budget.
- There is a plan to obtain information on someone who has experience on Planning processes.
- One idea might be to look at the way the department is collecting fees.
- The fees are coming in very strong. The projected fees show about \$1 to \$2 million dollars above what was anticipated for this fiscal year.

Interim Director Macris responded:

- There is a lot of good information today.
- The notion of having an outside expert planning firm look at how the department and the Commission does business is a good idea.

- There are three ways to approach the work load problem: 1) more productivity with what one has; 2) hire more people; or 3) look at the way the work is being done in the first place.
- The 90-day analysis is being worked on right now.

Amit Ghosh responded:

- The Citywide Action plan had a very good two months.
- There were various items related to Citywide that were approved and/or reviewed by the Commission in the last few months.
- The Balboa Park EIR will get under way in February. The consultant will be selected by the end of January.
- There has been progress in the scoping of the Eastern Neighborhoods EIR.
- The Housing Element public outreach will be starting soon. This is due in 2007.
- There are also published Planning reports that are available on the website. One is the extension of the Better Neighborhoods in the Mid-Market area that extends the Better Neighborhood provisions.
- Copies of the Downtown Monitoring Report will be available soon as well as the Housing Inventory.

Commissioner Bradford Bell:

Re: Home Depot

- The EIR for this project will be scheduled when?

Zoning Administrator responded:

- There are still some issues that need to be dealt with. He will provide a date in the future.

Interim Director Macris:

Re: Housing Element

- There is a lawsuit with the previous Housing Element. Staff has discussed what is the best approach in this situation and they have agreed to begin the new process and work with the people who have contentious feelings about the previous process in order to be more successful this time.
- There has been good cooperation from the Mayor's Office, Redevelopment Agency, DHR, etc.
- Staff intends to use the resources of the Mayor's Office for all the work in Planning. The City should be working in a unified way. He has been working to be involved with these entities.

Commissioner W. Lee:

- He sits on the Rate Fairness Board for the PUC that has developed a concept called Capacity Fee. Because a sewer plan and a water system have been built from Hetch Hetchy, the developers would benefit from that. He has been thinking that this might be done at Planning. Is there a way to access a Planning Capacity fee to make up for all the things that have been done before? Take the funding, but only earmark it for Planning Use.

Zoning Administrator Badiner responded:

- Staff had proposed that and the Commission reviewed it a few months before. Right now it is at the Finance Committee and will be discussed perhaps the third week of January. Staff is pursuing collecting fees for environmental and planning.

Commissioner W. Lee:

Re: Merger of DBI and Planning

- Someone should start looking at the process and efficiency of the condo, street use and map and DPW.
- Planning should take a look at what should stay at DBI and what should be merged with Planning.

Interim Director Macris responded:

- There have been meetings every two weeks with DBI about this topic. Staff is taking steps on what should be integrated.

Commissioner Antonini:

Re: Housing Element

- What general outreach is being done for the general public?

Interim Director Macris responded:

- The ideas are still in the beginning phase. Perhaps an outside party that facilitates these things. Nothing has been settled yet.

Commissioner Antonini:

Re: UC Berkeley

- Will the UC Berkeley title be maintained or will it be sold to the City?

Amit Ghosh responded:

- It is not being sold but there will be a long-term lease.

Commissioner Antonini:

- Whenever a/the process can be expedited is a good thing.

Commissioner Olague:

Re: Health Impact Assessment

- She requested that the Department of Public Health come to the Planning Commission and provide a presentation on this assessment.

Interim Director Macris responded:

- He knows that there is a draft available and will be meeting with them in the near future.

Commissioner Olague:

Re: Citizens Housing

- Is there an update on this?

Interim Director Macris responded:

- In about a week he will have more information on this.

Commissioner Hughes:

Re: Housing Element

- Is one of the items on the lawsuit the contention of whether or not a determination of a negative declaration was appropriate or not?

City Attorney Boyajian responded:

- She knows that the primary/only issue is a CEQA issue, asserting that there should have been an EIR and not a Negative Declaration.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –

- There were two appeals at the Board: 1) Negative Declaration for 329 Bay Street. The primary issue was a loss of a tree that was being taken down by the construction of the building. The Negative Declaration was reversed by a vote of +6-4 and there was a request of a cumulative analysis on the loss of other trees as a result of recently approved projects in the immediate area. 2) 100 Felton Street for the installation of a six-panel antenna on an existing church. The appeal was upheld by a vote of +10-0.
- The Formula Retail was passed on the final reading this week. That would create conditional use for retail use on Haight Street.
- Pending legislation: Supervisor Amiano's introduction of the SRO -- there has been an amendment to this ordinance with limits to very low income households that are 50% of median income and/or extremely low income households that are 30% of median income. This will be scheduled within the next few months before the Commission.
- There was an Upper Market/Castro place of entertainment. There are a number of bars in the Castro and upper Noe Valley that have established a place of entertainment. Not all of the projects have a permit for a place of entertainment. This ordinance would be exempted from the Conditional process that would require a hearing before the Entertainment Commission. If the Board approves this, later projects would have to come through for a Conditional Use.
- There was an amendment proposed to Section 139 of the Planning Code that was introduced by Supervisor Daly. This amendment clarifies that any money from the Downtown Park Fund should not be used for the construction or financing of parking garages.

BOA – None**D. GENERAL PUBLIC COMMENT – 15 MINUTES**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Jeremy Nelson

Re: New Planning Director

- He submitted a letter that listed various national and international websites where a job announcement could be posted.
- There was consensus among the Commission to use a wide range of search locations for this position.
- He knows that from the seven he submitted, only one had the job description posted.
- He knows that the Commission cannot disclose the names and resumes of candidates, but it would be good to know the number of candidates and whenever there are new submissions.

Andrew McCarthy

Re: Mid-Market

- There was a document that was handed out about Mid-Market and he would like to have a copy of that.
- When does Dr. Ghosh have a date in mind to discuss Mid-Market projects?

Dr. Amit Ghosh Responded:

- The document is available on the Planning Department website and at the Department. It is called The Policy Guide to Considering Reuse of the University of California Berkley Extension Laguna Street Campus.
- There is no set date for the Mid-Market presentation.

E. REGULAR CALENDAR

- 8a. 2004.0364D (D.SIROIS: (415) 558-6313)
451 FAXON AVENUE - west side, between De Montfort & Holloway, Lot 009, Assessor's Block 6939 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2003.11.24.0975, to demolish an existing single-family dwelling in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit.
- SPEAKER(S): None
 ACTION: Without hearing, item continued to February 17, 2005.
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
- 8b. 2004.0651D (D.SIROIS: (415) 558-6313)
451 FAXON AVENUE - west side, between De Montfort & Holloway, Lot 009, Assessor's Block 6939 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new residential buildings in association with residential demolition, of Building Permit Application No. 2003.11.24.0979, proposing to construct a three-story, single-family residential building with two off-street parking spaces in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the New Construction Permit.
- SPEAKER(S): None
 ACTION: Without hearing, item continued to February 17, 2005.
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
9. 2004.1262DD (D. JONES: (415) 558-6477)
4470-4472 23RD STREET - north side of 23rd Street between Alvarado and Elizabeth Streets, Lot 018 in Block 2801 - **Request for Discretionary Review** for building permit No. 2004.09.07.3426 to increase the depth of the existing second-story, increase the width of the existing rear extension, and install a new roof deck for the existing two-story over garage, two-unit dwelling. The property is located in the RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the building permit as submitted.
- SPEAKER(S): None
 ACTION: Did not take Discretionary Review and approved the project.
 AYES: Alexander, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Antonini
10. 2002.0449E (T. CHAN: (415) 558-5982)
375 FREMONT STREET - **Public Hearing on Draft Environmental Impact Report** - Assessor's Block 3747, Lot 6 - The proposed project is a residential development of approximately 378,720 gross square feet consisting of 250 dwelling units and about 250 underground parking spaces. The project site is located about mid-block on the eastern

side of Fremont Street in the block bounded by Folsom, Fremont, Harrison and Beale Streets. The 18,906-square-foot site (approximately 0.43 acres) currently contains a two-story, approximately 46,500-square-foot office building, the Hjul Building, which was constructed in 1929 as an industrial building and subsequently converted to office use. The existing building is listed in four local surveys of historic resources. The office building would be demolished, and the site would be excavated for a five-level below-grade parking garage and a 300-foot-high, 33-story residential tower. Vehicular access and two loading docks would be on Fremont Street. The site is within the existing Rincon Hill Special Use District/ Residential Sub-District and the proposed Rincon Hill Mixed Use District. The site is in the RC-4 (Residential/Commercial High-Density) Zoning District, the 250-R Height and Bulk District, and the proposed 350-R District.

Preliminary Recommendation: No action required.

Note: Written comments will be received at the Planning Department until 5:00 p.m. on January 6, 2005. January 11, 2005.

SPEAKER(S):

(+) Theodore Brown – Attorney

- In April of 2002, an environmental document was filed. He was told that the process would take about 12 months. They are now in the 33rd month. It has been 33 months and \$12,000 a page for the report.
- There have been three different staff members that have reviewed this EIR.
- There were 8 traffic studies done for this site. The EIR took so long that the Planning Department started a new traffic model and everything had to be changed to be project specific.
- Two totally complete wind studies had to be done.
- The building initially was not listed as a historic resource but the process has lasted so long that the building has become historical.
- This is a supper complete and detailed document that he had not seen before.
- He would like to have a timely hearing before the third year is up.

(+) Lou Blazej

- He is representing the Archdiocese of San Francisco.
- This is a very detailed document and he would like the same for the project the Archdiocese has.
- This project has taken too long to process.
- This project and the one for the archdiocese should have been heard together.
- He recommends that a Negative Declaration should be done.

(+) Steve Wilson – Council for the Archdiocese of San Francisco

- It is important to meet the housing needs.
- There are timing concerns here.
- The Commission should instruct staff to move this project along expeditiously.
- There is no cumulative environmental impact. This is key to whatever comes next.
- There are a few exceptions: 1) there is an inconsistency in the project height and unit size; 2) the impact of population increase is not taken into account so that there is no guesswork. This is the same story with the wind study; 3) Two projects should have a normal separation as mentioned in the hearing of November 29, 2004.

(+) Reed Diment – Rincon Hill Neighborhood Association

- The EIR is inadequate because it fails to thoroughly reflect the impact that this project would have on the Rincon Hill area.
- It does not portray the cumulative affect that approval of this project along with the other pipeline projects would have on the area.
- There will be no area left for the Commission to plan when the EIR for Rincon Hill comes before the Commission.
- The present project is inconsistent with the restrictions on the site.

- If the accepted changes for these requirements are approved, the opportunity will be lost that the staff undertook to create a diverse and family oriented community.
- It is not good to just look at individual projects.

(+) Azalia Merrell – Carpenter's Union

- She is speaking on housing and employment.
- Projects like this puts many people to work.
- This project will provide work force housing.
- There is no housing shortage, there is an affordable housing shortage.

(+) Jim Salinas, Sr. – Carpenter's Union

- He is always surprised that there is a deficit of housing.
- There are a number of benefits if the Commission approves this and moves it along.

(+) Andrew McCarthy

- This is an adequate EIR.
- This building has been reviewed on several separate occasions by several entities.
- On each review, the building was not determined to be a historical building.
- Staff now contends that the building is a building of significance.
- The Commission should reject the contention of significance.

ACTION: Hearing Held. Public Comment is Closed. No Action Required by the Commission.

11. 2004.0420M

(J. SWITZKY: (415) 575-6815)

SAN FRANCISCO BICYCLE PLAN - Resolution of Intent to Initiate Amendments to the General Plan necessary to incorporate the Bicycle Plan in whole by reference into the General Plan and amend sections of the General Plan that are relevant to bicycling, including the Transportation Element and Downtown Area Plan, according to the goals of the Bicycle Plan. The San Francisco Bicycle Plan is the result of a two-year collaborative planning process involving the Department of Parking and Traffic, the San Francisco County Transportation Authority, the San Francisco Bicycle Coalition and many other agencies and organizations.

Preliminary Recommendation: Adopt a Resolution of Intent to Initiate Amendments to the General Plan.

SPEAKER(S):

(+/-) Winchell Hayward

- He only opposes a few items of this proposal.
- He would be surprised if the suggestion that bicyclists and pedestrians should have access on bridges, highways and freeways would be implemented because of financial considerations.
- Adding bicycle lanes on trails that pedestrians use would be quite dangerous because many trains are single track and only intended for pedestrians.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 16924

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be

exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 3:49 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, FEBRUARY 10, 2005.

SPEAKERS: None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MAR 25 2005

SAN FRANCISCO
PUBLIC LIBRARY

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, January 13, 2005

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell,
Kevin Hughes, Sue Lee; William L. Lee, Christina Olague
COMMISSIONERS ABSENT: Dwight Alexander

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:40 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Adam Varat; Joshua Switzky; Dominic Argumedo; Carol Roos; Matt Snyder; Michael Li; Kelley Amdur; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2003.0253D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2001.03.07.3680 to demolish an existing two-story two-family dwelling (the project also proposes the construction of a new two-family dwelling) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending.
(Continued from Regular Meeting of October 7, 2004)
(Proposed for Continuance to January 27, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to January 27, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

- 1b. 2004.0682D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new construction to replace demolished housing, of Building Permit Application No. 2001.03.07.3684 for the new construction of a three-story, two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposed new building will contain two off-street parking spaces.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of October 7, 2004)
(Proposed for Continuance to January 27, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to January 27, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander
2. 2004.1145C (R. CRAWFORD: (415) 558-6358)
2609 JUDAH STREET - (between 31st and 32nd Avenues Assessor's Block 1822 Lot 034) - Request under Planning Code Section 161.(j) for **Conditional Use** Approval for a reduction of 6 off street parking spaces required for dwellings for a Project that will replace 6 of 10 existing off street parking spaces with ground floor commercial space. This project lies within an NC-2 Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to February 24, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to February 24, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander
3. 1999.0414E (C. ROOS: (415) 558-5981)
325 FREMONT STREET - Residential development with parking - Assessor's Block 3747, Lots 012, 013, and 014 - **Substitution of Mitigation Measure and Addendum to a Final Negative Declaration**. Re-evaluation of the revised project which is detailed in the following agenda items for the project (Case Nos. 2004.0636C and 2004.0636V), has led to an Addendum (December 20, 2004) to the prior Negative Declaration (CaseNo.1999.0414E, Final Negative Declaration, February 29, 2000). The revisions to the project would increase the number of units from 59 to 70, an increase of 11 units; increase the number of parking spaces from 57 to 70, with use of mechanical lifts; eliminate a proposed roof deck and solarium and reduce the floors of the building by one (from 22 stories to 21 stories); and widen and landscape a portion of the Fremont Street sidewalk as provision of open space. The revised project would maintain the same height and mass of the building analyzed in the final Negative Declaration. The Addendum found that the conclusions of the prior Negative Declaration, with an updated mitigation measure, remain current and valid. In the resource area of archaeology, a modified, more intensive archeological resources mitigation measure, based on more recent information regarding potential archeological resources in the project vicinity is being required. The other mitigation measures remain unchanged and a revised Mitigation Monitoring and Reporting Plan, including the new mitigation measure, has been prepared for project adoption. The CEQA Guidelines, Section 15074.1, states that a public hearing be held and findings made when one mitigation measure is deleted from a Negative Declaration for a project and another is substituted and a determination be

made that the new mitigation measure is, "[Equivalent or more effective" in avoiding or reducing the potential adverse effect of the project. This finding will be made during Commission consideration of the project for approval.

Preliminary Recommendation: Hold public hearing on substitution of mitigation measure.

(Proposed for Continuance to January 27, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 27, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

- 4a. 2004.0636CV (B. FU: (415) 558-6613)
325 FREMONT STREET - northeast side of Fremont Street, Lots 012, 013, and 014 in Assessor's Block 3747 - **Request for Conditional Use authorization** for: (1) the amendment of previous approval of a residential use exceeding 40 feet in height pursuant to Planning Code Section 253(a); and (2) the amendment of previous approval of a building exceeding 80 percent of site coverage pursuant to Planning Code Section 249.1(b)(1)(B) within the Rincon Hill Special Use District in a RC-4 (Residential-Commercial Combined High Density) District with a 200-R Height and Bulk designation. The amendment would increase the number of units from the previously approved 51 to 70, an increase of 19 units; retain the number of previously provided parking spaces of 51, with additional parking spaces of up to 70 that may be incorporated with mechanical lifts; eliminate a proposed roof deck and solarium; reduce the floors of the building by one; and widen and landscape a portion of the Fremont Street sidewalk as provision of open space. The revised project would maintain the same height and mass of the building analyzed in the previous approval.

Preliminary Recommendation: Pending

(Proposed for Continuance to January 27, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 27, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

- 4b. 2004.0636CV (B. FU: (415) 558-6613)
325 FREMONT STREET - northeast side of Fremont Street, Lots 012, 013, and 014 in Assessor's Block 3747 - **Request for a Variance** to: (1) allow the reduction of the required amount of off-street parking spaces pursuant to Planning Code Section 151; and (2) exceed the percentage permitted for private open space per Planning Code Section 249.1 within the Rincon Hill Special Use District in a RC-4 (Residential-Commercial Combined High Density) District with a 200-R Height and Bulk designation. The amendment would increase the number of units from the previously approved 51 to 70, an increase of 19 units; retain the number of previously provided parking spaces of 51, with additional parking spaces of up to 70 that may be incorporated with mechanical lifts; eliminate a proposed roof deck and solarium; reduce the floors of the building by one; and widen and landscape a portion of the Fremont Street sidewalk as provision of open space. The revised project would maintain the same height and mass of the building analyzed in the previous approval.

(Proposed for Continuance to January 27, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 27, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

B. COMMISSIONERS' QUESTIONS AND MATTERS**5. Commission Comments/Questions****Commissioner Antonini:***Re: 690 Market Street*

- He is disappointed to hear that this project did not get the Mills exemption.
- He is hopeful that this project will go forward anyway.

Commissioner W. Lee:*Re: Planner II and V*

- He is aware that these planner lists are certified.
- Can the Interim Director report on the number of vacancies and when these vacancies will be filled?

Interim Director Macris responded:

- There are about 20 vacancies.
- On January 27, there will be a work program workshop to talk about priorities within the work program before presenting the formal budget. Staffing situation will be discussed at that time as well.

Commissioner W. Lee:*Re: Vacancies*

- Since Jean Paul Samaha is gone, this is a key position between the Board of Supervisors and Planning.
- Has the department thought about filling this position?

Interim Director Macris responded:

- A formal recruiting has not been done.
- There has been interest within staff for this position.
- He understands the vital nature of this position.

Commissioner Bradford Bell:*Re: 690 Market Street*

- She is also disappointed that this project did not get the Mills Act.
- She is curious to know about the question that Supervisor Amiano asked: If the tax is not going to be given then what will be given for the project? A vital question did not get answered. She hopes that when it comes back, questions can be answered.

6. Proposed adoption of Planning Commission hearing schedule for 2005.**SPEAKER(S):** None**ACTION:** Approved as Amended: Add October 13, 2005 as a non-meeting date in observance of Yom Kippur and September 8, 2005 shall be a regular meeting date.**AYES:** Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague**ABSENT:** Alexander**C. DIRECTOR'S REPORT****7. Director's Announcements****Interim Director Macris Reported:***Re: Mid-Market Project Area Committee*

- The committee met yesterday. Planning staff made some suggestions regarding the Special Use District.

- The decision made yesterday was to set some meetings in order to make a decision to vote on the Special Use District area. The next meeting will be in February 2005. The plan is to have the new rules set up in June 2005.
- He feels very good about the meeting last night and has all the optimism that the committee will vote in February.
- On January 20, there will be an informational item on this so that when it comes to the Commission in March, there will be better understanding.

Zoning Administrator Badiner Reported:

Re: 724-730 Van Ness Avenue

- This case was before the Commission in either 2000 or 2001.
- It was proposed as 141 residential units.
- He received a few letters on request for determination.
- He issued a letter of determination.
- The most important question here is whether this project is a for sale project or a rental project?
- The Conditions of Approval stated that the units shall be rented.
- The affordable units must be rented. They could be sold to an individual but they must be rented.

Commissioner W. Lee:

- He had previously asked the Zoning Administrator to speak to the City Attorney to find out if the City is being misguided.

Zoning Administrator responded:

- If he consults with the City Attorney, and the Board of Appeals disagrees, the City Attorney needs to be able to defend the Board of Appeals final determination.
- He did consult with the City Attorney but he is not going to state whether he agrees or disagrees with the comments.

Commissioner W. Lee:

- He is just concerned about transparency with the City.
- He does not understand why the Zoning Administrator cannot just say that he has received consultation from the City Attorney and to state where they stand.

City Attorney Boyajian responded:

- It is true that different parts of the City have their own City Attorney but most generally, the attorneys all speak with one voice.
- They don't want to be in a position where they are conflicting with each other.

Zoning Administrator responded:

- He is ready to say right now that he has spoken with the City Attorney and this is their position.

Commissioner Antonini:

- It is his understanding that with the projects the Commission approves; the project sponsor has the flexibility to go whichever way they want.

Commissioner Hughes:

- The unusual thing about this project is the hope that the Commission will not rehear it.

Zoning Administrator:

- He agreed with the project sponsor that reducing the number of units was not in general conformity.
- The project was then re-modified and designed closer to the original.

Commissioner Hughes:

- At some point there was a request to rehear this project.

Zoning Administrator:

- The Board of Appeals may decide that it is not within the bounds of the original approval and request that another Conditional Use is applied for.

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS -

Re: 690 Market Street

- The Board voted +9-2 not to grant the Mills Act.

BOA – None

9. 2000.1090C (M. SNYDER: (415) 575-6891)
300 SPEAR STREET - the northern half of the block bounded by Folsom Street to the north, Spear Street to the east, Harrison Street to the south, and Main Street to the west, Lot 1 in Assessor's Block 3745 - Report on refinements to the project design for a proposed large scale mixed-use project (predominately residential) that would consist of two towers and two podium buildings, approved under Planning Commission Motion No. 16648. Condition 15 of the Motion requires an informational presentation before the Commission prior to Building Permit approval.

SPEAKER(S):**(+) Carl Shannon – Tishman Spier Properties**

- He will give a brief introduction of the project.
- Arquitectonika has been working extensively with the department related to streetscape.
- They have increased the number of bedrooms in each unit.
- The structural engineer worked through a new performance based peer review.
- They removed the need to have a moment frame and removed the outer beams.
- They also have full support from Supervisor Daly.

(+) Clark Mannus – Project Architect -

- He gave an overview of the architectural aspects of the project.

(-) Reed Deement – Rincon Hill Residents Association

- The project is very different from the project that was described in the EIR and the project that the Commission approved.
- There is nothing to indicate that there have been new shadow or design studies as a result of the changes to the design.

(+) Andrew Brooks – Bay Crest and Rincon Hill Residents Association

- They are encouraged with the concept of family housing units. This is over and above the affordable component that is required by the Commission.
- The project sponsor has told him that they are willing to work on creating family units in these units.

(-) Sue Hestor

- If this project were planned in any other neighborhood there would be many more studies done. Since this project is in the Rincon Hill, it appears that this presentation is mostly run by the project sponsor.
- The towers are very, very large.
- This project needs to be looked at more closely.

- She does not see a lot of information here.
- This is a really dramatic change. It is not the worse architectural solution but the Commission needs to understand it completely.
- (-) Ed Bidard – Vice President of the Hayes Valley Association**
- The Board decided on reducing the parking on this project.
- When this project is built there will be a lot of traffic congestion.
- Adding more cars to the neighborhood will cause problems.
- He hopes that the parking situation can be revisited.

ACTION: Informational only. No Action Required by the Commission.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Marilyn Amini

Re: 724-730 Van Ness Avenue

- There is a due process. This project was talked about during Director's Report.
- The public deserves the right to speak about this project because it is now a substantially different project.
- Original there were 141 affordable rental units with 51 parking spaces then the land was subsequently sold to a new owner. The project then changed to 104 upscale condominiums with 81 stacked valet parking spaces.
- A Conditional Use was granted on one specific project and now it is arbitrarily transferred to a new owner.
- She feels that this is an important land use issue and the Commission should hear it again so the public can comment on it.

REGULAR CALENDAR

10. 2004.0605R (A. VARAT: (415) 558-6405)
ANTENNAS ON THE PUBLIC RIGHT-OF-WAY- GENERAL PLAN REFERRAL -
Request for adoption of a resolution of General Plan Conformity finding, pursuant to Section 4.105 of the San Francisco Charter and Section 2A.53 of the Administrative Code, subject to the conditions of a Settlement and Public Rights-of-Way Use Agreement (Agreement), for siting certain types of micro-cellular equipment in public rights-of-way. The Agreement would permit the NextG Networks of California, Inc. to install up to 300 wireless antennae and associated equipment of various configurations on third-party-owned power poles, telephone poles and utility poles in public rights-of-way, but not on private property, throughout the City. Exact locations for antennae installations are not yet determined; however, installation locations will be limited by the Agreement, in consideration of urban design, historic resource, open space, visual resource and other factors.
 Preliminary Recommendation: Adopt resolution of General Plan Conformity finding, subject to conditions of the Settlement and Public Rights-of-Way Use Agreement.

SPEAKER(S):

(+) Suzanne Toller – Attorney - NextG Networks of California

- They have spent a lot of time working with various groups to try to reach an agreement with all the various concerns.
- They have limited the size of the facilities, the density, etc.

(+) Robert Delsman – NextG Networks of California

- They are co-locating on existing facilities.
- It seems like they are adding more antenna sites but they are really replacing them.
- They will provide revenue to the City.
- He displayed drawings that were submitted to the department for their review.

(-) Eileen Boken – SPEAK

- She knows that Supervisor Amiano is working on WTS Guidelines so she would like this item to be continued indefinitely.
- NextG Networks does not hold an FCC License and it is not a wireless carrier, etc.
- If the City signs off on this agreement there will be no conditional use permit process. This means no public notification and no public hearings.
- Most of the photos and plans seem to be focused mostly in the Sunset District and the Richmond District.

(-) Diana Scott

- She is a resident of the Outer Sunset.
- She is opposed to this proposal even though there are certain restrictions.
- This proposal evades and magnifies the existing concerns regarding property values and human health.
- Even though the antennas are less visible it does not make them benign.
- This proposal should be put on hold until everything has been discussed.

ACTION: Found that the project is not in conformity with the General Plan.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

MOTION: 16925

11. 2004.0055Z (J. SWITZKY: (415) 575-6815)
TRANSBAY REDEVELOPMENT PLAN - Consideration of Amendments to the Planning Code - The Commission will consider a resolution to adopt proposed text and map amendments to the *Planning Code* (Sections 825, 825.1, 249.25, 263.18, 270, *Zoning Maps 1, 1H, and 1SU*) under the provision of Sections 302 and 306.3(b)(2) of the Planning Code. Proposed amendments will (a) establish the Transbay C-3 Special Use District, (b) establish the Transbay Downtown Residential District, (c) establish the "TB" special height/bulk district, and (d) update Zoning Maps 1, 1H and 1SU to apply these designations pursuant to the Transbay Redevelopment Plan.
 Preliminary Recommendation: Approve Draft Motion
 SPEAKER(S):
(+) Peter Hartman – Transbay CAC
 - Everyone has been working long and hard on this project.
 - This is a very good plan and he urged the Commission to approve it.
 - He urged the Commission to approve the planning amendments and the recommended planning controls as they are presented.
(-) Norman Bouton – Carjo Properties
 - He owns property on 2nd Street.
 - He is one of several property owners that are challenging the EIR because of property values.
 - He does not oppose the plan that will utilize underutilized lots in the area.
 - He is just concerned that many buildings that might have historical significance will be affected.
(-) John Gasser – Adolph Gasser, Inc.
 - He owns a business on 2nd Street.
 - There is a challenge to the EIR. The alternates for the Transbay Terminal were not correctly looked at.
(+) Norman Rolfe – San Francisco Tomorrow – Member of the Transbay CAC

- Most of the land is not being utilized.
- It is nice to see something removed and built with something that is useful.
- This project will set up a new neighborhood.
- (+) **Michael Kiesling – Transbay CAC**
- They have gone through everything to get this project approved.
- This is something that everyone should be proud of.
- It will provide financing to improve a lot of the transportation systems of the area.
- Redevelopment and Planning are going in the right direction.

(+) **Joel Yodowitz**

- He would like to recommend a new code provision related to this project.
- The Department and the Commission should consider exempting BMR (Below Market Rate) units from FAR (Floor Area Ratio) in Zone 2 of the Transbay Plan Area.
- Such an exemption is already granted by code in C-3-G and C-3-S areas and is proposed for the Mid-Market SUD.

(+) **Azalia Merrell**

- There is no housing shortage. There is an affordable housing shortage.
- To see any increase in below market rate units provides opportunities to stop gentrification.

(+) **Robert McCarthy**

- He agrees with what Mr. Yodowitz is proposing.
- He also urged the Commission to remove FAR requirements on residential.

(+/-) **Ed Zach**

- He owns property in the area.
- This announcement has generated some anxiety.
- Have specific properties been designated for demolition?
- Is there any opportunity to clarify information to property owners?

ACTION: Approved as Modified: Add the following language to the ordinance:
"Section XX. This is an uncodified section of this legislation. The provisions of this Ordinance shall not apply to any project (including any subsequent non-material amendments to the approvals for the project) that has, on the effective date of this Ordinance, valid final approvals from the Planning Commission, provided that such approvals remain in full force and effect. This Section does not confer on any such project development rights that are not otherwise granted under existing law. For purposes of this Section, a project shall be deemed in "full force and effect" if the Planning Commission has not revoked the project's approvals and such approvals require revocation to terminate development rights."

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

MOTION: 16926

12. 1994.0670E (C. ROOS: (415) 558-5981)
SOUTH OF MARKET REDEVELOPMENT PLAN - Certification of the Final Supplement to the FEIR for the South of Market Redevelopment Plan Amendment -
 The South of Market Redevelopment Plan Amendment ("Redevelopment Plan Amendment") proposes to convert the South of Market Earthquake Recovery Redevelopment Project Area to a redevelopment project area ("Project Area") and will authorize the San Francisco Redevelopment Agency ("Agency") to use tax-increment financing to alleviate physical and economic conditions of blight and to use eminent domain to alleviate these blighting conditions. The proposed amended Project Area is generally bounded by Stevenson, Mission and Natoma Streets on the north, Fifth Street on the east, Harrison and Folsom Streets on the south and Seventh Street on the west. In order to finance projects and programs that would alleviate the conditions of blight, the Redevelopment Plan Amendment would also include:

- ☐ An amended expiration date, which extends the redevelopment plan by 10 years (from June 11, 2010 to June 11, 2020);
- ☐ Extended deadlines for the Agency to incur and repay indebtedness secured by tax increment funds; and
- ☐ Increase the aggregate amount of tax increment the Agency may receive (from \$102,000,000 to \$200,000,000) and the maximum amount of bonded indebtedness the Agency may have outstanding at any one time (from \$60,000,000 to \$80,000,000).

The Agency proposes to carry out a comprehensive program to alleviate the adverse effect of blight in the Project Area. by implementing the five main elements of the Amendment's program:1) Improve residential conditions and encourage residential activity;2) Improve economic conditions and encourage business activity;3) Promote area quality of life and social services;4) Address infrastructure and transportation needs;and 5) Assure appropriate neighborhood land uses and design. Implementation of the Redevelopment Plan Amendment is expected to yield a total of 834 residential units (483 small residential units and 351 family units), 114,618 square feet of commercial development and 91,375 square feet of industrial development at buildout in 2020. The implementation of the Redevelopment Plan Amendment is also expected to result in rehabilitation of 300 existing single room occupancy residential hotel units that are either vacant or have substandard living conditions.

NOTE: The public hearing on the Draft Supplement is closed. The public comment period for the Draft SEIR ended on October 14, 2004. The Planning and Redevelopment Commissions do not conduct public review of Final SEIR's. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the commission calendar.

SPEAKER(S): None
 ACTION: Adopted
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
 EXCUSED: Olague
 ABSENT: Alexander
 MOTION: 16927

13. 2004.1043U (D. ARGUMEDO: (415) 558-6284)
SOUTH OF MARKET REDEVELOPMENT PROJECT AREA PRELIMINARY PLAN - Amendment Of Preliminary Plan And Finding Of General Consistency With The General Plan - All, or portions of Assessor's Blocks 3703, 3725, 3726, 3731, 3732, 3753, and 3754; being generally the area bounded by Fifth Street to the East, Seventh Street to the west, Harrison Street to the South; and Mission Street, Natoma Street and Stevenson Street to the north. Amendment of a Preliminary Plan for the South of Market Redevelopment Project Area, as revised from a previous Preliminary Plan (January 9, 1997), and finding said revised Preliminary Plan to be generally consistent with the San Francisco General Plan.

Preliminary Recommendation: Adopt Resolution formulating Preliminary Plan and finding said plan generally consistent with General Plan.

SPEAKER(S): None
ACTION: Adopted
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
EXCUSED: Olague
ABSENT: Alexander
MOTION: 16928

14. 2004.1140C (M. LI: (415) 558-6396)
1600 MARKET STREET - northwest corner at Franklin Street, Lot 001 in Assessor's Block 0854 - **Request for Conditional Use** authorization to establish a large fast-food/self-service restaurant (dba "Folk Look Buffet") of approximately 10,000 square feet. No expansion of the building or the existing commercial space is proposed. The space was previously occupied by a restaurant and nightclub, but it has been vacant for approximately five years. The site is within an NC-3 (Moderate-Scale Neighborhood Commercial) District and an 80-A Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S): None
ACTION: Approved
AYES: Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Alexander, Antonini, Olague
MOTION: 16929

15. 2004.1045D (K. AMDUR: (415) 558-6351)
363-365 GREEN STREET - south side between Montgomery and Kearny Streets, Lot 037 in Assessor's Block 0133 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of dwelling unit mergers, of Building Permit Application No. 2004.09.13.3974 proposing to merge two units to create a single family home in a three-story over garage building, within an RM-1 (Residential Mixed, Low Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Merger.

SPEAKER(S):
(+) **Daria Jennice – Project Sponsor**
- She and her partner purchased the property in 2004.
- They would like to restore the building to its original floor plan.
- The vacant units have not been rented for many, many years.

ACTION: Did not take Discretionary Review and approved the merger.
AYES: Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Alexander, Antonini, Olague

16. 2004.1223DD (M. SNYDER: (415) 575-6891)
369 HARKNESS AVENUE - south side between Rutland and Goettingen, Lot 046 in Assessor's Block 6177 - **Staff Initiated Discretionary Review and Requested Discretionary Review** of Building Permit Application No. 2004.06.07.5742 proposing to construct a two-story horizontal addition at the rear, within a RH-1 (Residential House, One-family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and Approve Project with Modifications.

(Continued from Regular Meeting of December 9, 2004)

SPEAKER(S):

(-) Carla Vaughn – Discretionary Review Requestor

- She lives next door to the project sponsor.
- She is an organic certified grower.
- When the project is completed, she will be looking at two walls. She does not object to the project but she would like to see some modifications in order for her garden to receive as less of an impact as possible.

(+) Gaynell Warr – Project Sponsor

- The proposed construction is to have a large room because she will eventually need a wheelchair. She will also have a bathroom in her bedroom.
- The Discretionary Review requestor has the largest yard on the block. She does not understand how her construction would affect her sun and air.

(+) Doris

- She lives in the neighborhood.
- She does not object to the project since the project sponsor needs the addition.

(+) Hilda Montesclaros

- She supports the project. She does not feel that the project will block light to the Discretionary Review requestor.
- She read a statement from the project architect describing the project.

ACTION: Took Discretionary Review and approved the project with staff recommendation: Upper floor should be setback.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

17. 2004.1331D (M. SNYDER: (415) 575-6891)
3305 JENNINGS STREET - Lot 025 in Assessor's Block 4993, east side between Jamestown Avenue and Key Avenue - **Staff Initiated Discretionary Review** of Building Permit Application No. 2004.07.09.8430 proposing to construct a three-story single-family house on a vacant lot, within a RH-1 (House, one-family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications

SPEAKER(S):

(+) Emmett Neal – Project Sponsor

- He owns the property. He and his family have lived in San Francisco for many decades.
- He displayed various photographs focusing on the steep hills of the area.

(+) John Neal

- The area is very steep and this has to be accounted for.
- If the project needs to be narrowed, it would actually be impossible.
- He hopes that the Commission will take this practical point into consideration.

MOTION: To not take Discretionary Review and approved the project

AYES: Bradford Bell, Hughes, W. Lee

NAYES: S. Lee and Olague

ABSENT: Antonini and Alexander

RESULT: Motion Failed

ACTION: Took Discretionary Review and approved the proposed project requiring two eight foot garage doors with a foot of separation rather than the proposed single garage, 16-foot wide door.
AYES: Bradford Bell, Hughes, S. Lee, W. Lee
NAYES: Olague
ABSENT: Alexander and Antonini

18. 2004.1170D (M. SNYDER: (415) 575-6891)
3635 20TH STREET - south side between Guerrero Street and Valencia Street, Lot 069 in Assessor's Block 3608 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2004.09.15.4246, proposing to merge the existing two units back to a single-family dwelling in an RH-3 (House, Three-family) District, the Liberty Hill Historic District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the merger.

SPEAKER(S): None
ACTION: Without hearing, item continued to January 20, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 5:59 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 17, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
ABSENT: Alexander and S. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, January 20, 2005

1:30 PM
Regular Meeting

DOCUMENTS DEPT.

MAR 28 2005

SAN FRANCISCO
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COMMISSIONERS PRESENT: Dwight Alexander; Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, Sue Lee; William L. Lee, Christina Olague
COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT BRADFORD BELL AT 1:47 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Rick Crawford; Matt Snyder; Sara Vellve; Joy Navarrete; Dan Sider; Marshall Foster; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.1239DDDD (G. CABREROS: (415) 558-6169)
2404 BROADWAY - north side between Steiner and Pierce Streets; Lot 004 in Assessor's Block 0562 - **Requests for Discretionary Review** of Building Permit Application No. 2004.04.08.0804 proposing various facade alterations and to construct side and rear horizontal additions to the existing three-story, single-family residence in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to January 27, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to January 27, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

2. 2004.0849C (M. WOODS: (415) 558-6315)
1720-1730 FULTON STREET - north side between Central and Masonic Avenues; Lot 30 in Assessor's Block 1175 - Request for **Conditional Use** authorization under Sections 303 and 352 of the Planning Code to modify a condition previously imposed in Motion No. 14807 for Case No. 1998.0318C (the approval of the Petrini Plaza), The proposal

would modify Condition No. 30 of the Motion to allow the project sponsor to merge two small storefronts at the Petrini Plaza for leasing to a financial service establishment (Washington Mutual Bank), rather than to a local independent merchant. The project is within an NC-S (Neighborhood Commercial Shopping Center) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Disapproval

(Proposed for Continuance to February 3, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 3, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

3. 2004.0458E (J. NAVARRETE: (415) 558-5975)
566 SOUTH VAN NESS AVENUE - Appeal of Preliminary Negative Declaration - The proposed project would include demolition of an existing 4,344 gross-square-foot, one-story retail/commercial building and rear storage building and construction of a five-story, 50-foot-tall mixed-use building which would contain 32 residential units on the second through fifth floors and retail/commercial use on the ground floor. The residential use would be 27,491 gross square feet (gsf) in area, and the retail/commercial space would be 4,344 gsf in size. The ground floor and basement levels would include 32 parking spaces designated for the residential use with ingress and egress from South Van Ness Avenue. The ground floor would contain the commercial space and residential lobby. The 12,253-square-foot site is located within the C-M (Heavy Commercial) zoning district and within a 50-X height and bulk district. The proposed project requires a conditional use authorization for residential use in the C-M district.
Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of December 16, 2004)
(Proposed for Continuance to February 17, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 17, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

4. 2004.0904D (R. CRAWFORD: (415) 558-6358)
364 WINDING WAY - north side between Drake and Prague Streets. Assessor's Block 6479 Lot 012. Request for Discretionary Review of Building Permit Application No. 2004.0308.8029, to construct a three story addition to the rear of the existing two to three story dwelling, in an RH-1 (D) (Residential House, One Family, Detached) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and Modify the Project.
(Proposed for Continuance to February 24, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 24, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

5. 2004.1169C (C. NIKITAS: (415) 558-6306)
1251 THOMAS AVENUE - west side between Ingalls and Hawes Streets, Lot 030, in Assessor's Block 4807 - Request for Conditional Use authorization to operate a fenced vehicle storage yard and towing business as defined in Sections 223(t) & (u), pursuant to Section 249.15(b)(2), located on a site in an M-1 (Light Industrial) zoning district and the Restricted Light Industrial Special Use District and a 40-X height and bulk district.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of December 9, 2004)
(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to March 3, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 6a. 2004.0032D (J. PURVIS: (415) 558-6354)
43 HAMILTON STREET - east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2002.10.17.9296, proposing the demolition of a one-story, single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District. Preliminary Recommendation: Pending
(Continued from Regular Meeting of December 2, 2004)
(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to March 3, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 6b. 2004.0033D (J. PURVIS: (415) 558-6354)
43 HAMILTON STREET - east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all replacement structures following residential demolition, of Building Permit Application No. 2002.10.17.9298, proposing the construction of a two-story single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District. Preliminary Recommendation: Pending
(Continued from Regular Meeting of December 2, 2004)
(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to March 3, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

7. 2004.0389D (J. PURVIS: (415) 558-6354)
684 ARKANSAS STREET - west side between 20th and 22nd streets; Lot 016 in Assessor's Block 4098 - **Neighbor-Initiated Discretionary Review** on the proposed conversion of a single-family dwelling to a two-family dwelling with vertical and horizontal extensions, under Building Permit Application No. 2003.05.22.5290. The site is in an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project. (Continued from Regular Meeting of November 18, 2004)
(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to March 3, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

8. 2003.1110T (C. NIKITAS: (415) 558-6306)
REQUIRED SECOND MEANS OF EGRESS - Ordinance Amending the San Francisco Planning Code to Allow a Required Second Means of Egress **Adoption of an ordinance amending the San Francisco Planning Code** by adding a new section 136(c)(4)(A)(i-v) to allow certain stairways that are a required second means of egress under the Building Code, as permitted obstructions in the rear yard. The California Building Code no longer allows fire escapes as a second means of egress in most cases. This proposed text

amendment provides an exemption to meet the requirements of the Building Code. This ordinance also includes changes to Section 311 and 312 to require neighbor notification for the addition of these stairways.

Preliminary Recommendation: Recommend approval of the ordinance to the Board of Supervisors.

(Continued from Regular Meeting of November 18, 2004)

(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

9. 2004.0607D (D. DIBARTOLO: (415) 558-6291)
215-217 COLE STREET - west side between Hayes and Fell Streets: Lot 003 in Assessor's Block 1212 - **Request for Discretionary Review** of Building Permit Application No. 2003.09.29.5983S, proposing to construct a vertical and rear horizontal addition and to renovate the existing three-story over garage two-unit structure. The project proposes to (1) add one residential dwelling unit at the top floor level, achieved by raising the roof level approximately 2.5 feet at the middle portion of the structure; (2) construct a horizontal addition by extending the rear building wall by approximately 7.5 feet at the first three floor levels; and, (3) renovate and retain the existing design components of the front facade of the structure. The property is located in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of October 28, 2004)

DISCRETIONARY REVIEW APPLICATION WITHDRAWN

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

B. COMMISSIONERS' QUESTIONS AND MATTERS

10. Commission Comments/Questions

Commissioner Bradford Bell:

- She will be leaving early today because of a death in the family.
- She apologized for this inconvenience to the public.

Commissioner W. Lee:

Re: Redevelopment Agency

- He acknowledged Commissioner Lee working for Redevelopment Agency.
- He asked the Director or the Zoning Administrator to clarify the roles and responsibilities of the Planning Department and the Redevelopment Agency.

Interim Director Macris Responded:

- He and staff have been working with the Redevelopment Agency staff on delegation agreements. The first example of this will be coming before the Commission next week with the Transbay Terminal Area project.
- There are still a difference or two that still needs to be "ironed out." He will be meeting with Redevelopment Agency staff this afternoon.

Commissioner Olague:

Re: Study in the Mission regarding PDR Use

- She would like to hear an update on this.

Interim Director Macris Responded:

- This study is well underway.
- A company by the name of EPS is working on this.
- Staff is monitoring this closely and they are on schedule.
- There are projects in the pipeline that will be looked at individually. Other projects will just have to wait until the 90-day period passes.

Commissioner Antonini:

Re: Redevelopment Agency

- It would be beneficial to have a presentation from Redevelopment to get information on geological locations, jurisdiction, etc.

Interim Director Responded:

- This is very important and the right step to take.
- He will be glad to arrange something like this.

11. **ELECTION OF OFFICERS:** In accordance with the Rules and Regulations of the San Francisco Planning Commission, the President and Vice President of the Commission shall be elected at the first Regular Meeting of the Commission held on or after the 15th day of January of each year, or at a subsequent meeting, the date which shall be fixed by the commission at the first Regular Meeting on or after the 15th day of January each year.

SPEAKER(S):**Francisco DeCosta**

- In this City and County of San Francisco, the Planning Commission plays a very important role.
- The Planning Commissioners should be fully aware of the housing element, the transportation document, etc. They should also pay attention to the City's infrastructure. It is time for the Planning Commission and the Public Utilities Commission to work together on projects and the development of San Francisco.

NOMINATION FOR PRESIDENT: Sue Lee

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

NOMINATION FOR VICE PRESIDENT: Dwight Alexander

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

Commissioner Sue Lee:

- She thanked everyone for her being elected as Commission President.
- She acknowledged Commissioner Bradford Bell for taking on the responsibility of president of the Commission when they did not even know how to be a Commission.
- There are a lot of tasks that the Commission and Planning Department need to take on.
- There are comprehensive planning issues that need to be discussed with the Board of Supervisors and other city agencies.
- There are issues on jobs, housing, transportation, infrastructure, etc. that need to be planned.
- She is looking forward to continue working and dealing with the tasks at hand.

Commissioner Antonini:

- He commended Commissioner Sue Lee for accepting the presidency of the Commission.
- He thanked Commissioner Bradford Bell for her excellent work as present and as a member of this Commission.

Commissioner Olague:

- She thanked Commissioner Bradford Bell for giving the Commission an atmosphere of camaraderie.

Commissioner Hughes:

- He thanked Commissioner Bradford Bell for her work as president of the Commission-- even during the times when there was a lot of tension and stress. Commissioner Bell brought a sense of fairness and balance during a time when it was very important to have this.
- She was able to relieve a lot of the tension when a decision needed to be made.
- He wished incoming president Sue Lee well for accepting the position.

Commissioner Alexander:

- He thanked the Commission for their trust in him as Vice President.
- He commended Commissioner Bradford Bell in doing such an excellent job as president of the Commission.
- He is looking forward to the challenges ahead.

Commissioner W. Lee:

- He thanked Commissioner Bradford Bell for taking such a challenging position when there was a very divided Commission.
- It was quite a challenge for a Commission to be able to work together [successfully] when half was appointed by the Mayor and half by the Board of Supervisors.

Commissioner Bradford Bell:

- She thanked everyone for supporting her during those beginning times when sometimes she did not even feel she knew what was going on.
- It was very challenging for her, but there were a lot of people and staff that had a lot of patience for her.
- She thanked those people that were not always in agreement with her decisions but were able to speak to her about it afterwards.
- She is here to support Commissioner Sue Lee in her role as president of the Commission.

C. DIRECTOR'S REPORT

12. Director's Announcements

Interim Director Macris:

- He introduced Alicia John-Baptiste as the new Chief Administrative Officer.

Zoning Administrator Reported:

Re: 724-730 Van Ness Avenue (cross Street Turk)

- On June 20, 2002, the Commission approved this project that consisted of 141 units.
- Project sponsor stated that it would be rental, geared for students, etc.
- The project was sold to someone else. The new project sponsor applied for 104 units.
- He received a letter in August of 2004 that asked the question of whether or not the new project was in general conformity with what the Commission had originally approved.
- He determined that it was not the same project.
- The project sponsor appealed this determination and submitted a new proposal for 130 units. This would make it the same type of project.
- He received an additional letter from the original sender, asking further question about a variety of issues, specifically rental versus for sale.
- He then determined that the Commission made no mention about rental or for sale (except for the inclusionary housing).

- The first letter was appealed before the Board of Appeals last night. However, there was a request to have this continued.

Commissioner Sue Lee:

Re: Schedule something on the Calendar

- When projects have been modified from the Commission's conditional use approval, she requested that they be scheduled before the Commission.
- The Commission should discuss this in terms of their own action vs. the Zoning Administrator's interpretation.
- She suggested that this be scheduled on February 3, 2005.

13. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None

BOA:

Re: Dolores Mews

- The Board upheld the determination that it was within the bounds of the Conditional Use and did not need to come back.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Joe O'Donaghue

Re: New Officers at the Commission

- He congratulated Commissioner Sue Lee and Commissioner Alexander on their elections as President and Vice President.

Re: The Permit Process

- There are a lot of problems with the way a permit is obtained.
- There has been a lot of talk about "undo influence" at the Board of Supervisors and people from the Mayor's Office.
- It seems that their friend's projects have been put at the beginning of the line and this is unfair.
- He will be putting forth a ballot measure that would prohibit any member or representative [of the Mayor's office or Board of Supervisors] from contacting any Commissioner about any particular project.
- This would allow departments to be totally independent.
- The Board controls the department through budget means.

Francisco De Costa

- He agrees with the previous speaker.
- The interim Director has a lot to do.
- There is a lack of environmental impact assessment at the Planning Department.
- The Commission needs to work very closely with Building Inspection, Redevelopment Agency, etc.
- An audit should be done on the San Francisco Redevelopment Agency.

E. REGULAR CALENDAR

14. 2004.1167DD (R. CRAWFORD: (415) 558-6358)
1310 STANYAN STREET - east side of a n undeveloped portion of Stanyan Street between Clarendon Avenue and Mountain Spring Avenue. Assessor's Block 2706 Lot 035 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.15.8977, to construct a new single-family dwelling, three stories in height on a vacant parcel in an RH-1 (D) (Residential House, One Family, Detached) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Project.
 (Continued from Regular Meeting of December 2, 2004)

SPEAKER(S):**(-) Steve Williams – Representing One Discretionary Review Requestor**

- The lot in question does not appear in any of the Sanborn maps.
- The project does not have a rear yard.
- The other lot is substandard.
- The department would have given a different recommendation if staff had had the entire information.
- This project should be returned for re-analysis.
- The Building Department reports also gives information that is not correct.
- There is no need to rush through this project.

(-) William Marconi – 2nd Discretionary Review Requestor

- The project would result in a tiny house and would decrease the value of the neighborhood.
- It would gravely affect the light and views of the house on the southeast corner of Stanyan Street.
- The project would also result in a loss of open space.

(-) Pennie Sempell

- She lives on Stanyan Street.
- She was denied vehicle access to her property.
- She was also denied fire access to the rear of her house.
- She is concerned about the legality of the construction. The project will take away a parking area for people that don't have a garage. The project infringes open space in the area.

(-) Oleg Obuhoff

- He is not against the variance.
- There are some questions about the true owner of the property. There has been information that the property was either transferred or sold.
- Most of the neighbors would like to preserve the open space.

(-) David Weill

- He lives on Mountain Spring Street.
- He is opposed to the project because it is out of character with the single family dwelling structures in the area.
- There is a lot of traffic in the area because of UC Med.
- The driveway will take away some of the parking.
- He moved into his home in 1971.
- Before 1971, there was construction done to a home and there was water running out of the house. There is still water running out of the house so he is worried that another construction will make things worse.

(-) Tav Matulla

- She and her husband have lived in the area for many years.
- She is against the project because it is very massive.
- There are many issues with this project that need to be dealt with before the project is allowed to move forward.

(-) Ted Hlavac

- He is concerned with the project with the same issues as the previous speakers.
- He is extremely concerned about the negative tactics that the project sponsor has done.

(-) George Matulla

- There are a lot of discrepancies with the reports.
- The land maps are contrary to what is actually in the neighborhood.

(-) Terry Senne

- He lives on Stanyan Street.
- He joins his neighbors opposing this project.
- If there was a project that would be built to the detriment of the neighborhood it would be this one.

(-) Cathleen Clark

- She lives in one of the houses of the Stanyan Street steps.
- She is opposed to the project because there has been a lot of deceit and dishonesty.
- She is concerned with the destabilization of the hill.
- There is no vehicular access to their homes. If this project is built with a driveway it would remove space for people to park their cars.

(-) Leigh Sealy

- This has been on the minds of the neighbors for many months.
- Open space, parking, nature of the hill, water that rushes down the hill are all the concerns that neighbors have.
- He would be most encouraged if the Commission would reconsider this project.

(-) Doris Linnenbach

- He agrees with the representative of the Discretionary Review requestor--this is not a simple project. This project cannot be "rubber stamped" for approval.
- All the people who spoke would not come here if there were no real concerns.

(-) Dennise Lapointe – Twin Peaks Improvement Association

- The association has taken the stand to oppose this project because there are serious problems.
- She submitted a letter with the issues of why they are opposed.

(+) C.J. Healy – Ruben and Junius – Representing Project Sponsor

- This is a very well designed project.
- This is not a "City giveaway" project.
- The lot is not substandard. The lot is about the same size as nearly every lot on Clarendon Avenue.
- The project meets all the requirements of the Planning Code.
- The issue of deceit, which was spoken about, is simply not true.
- The project sponsor was very open about everything they have tried to do with the project.
- The project is actually a very attractive one.

(+) Mark Brand – Project Developer

- He displayed a diagram of the proposed project.
- They have made quite a number of good neighbor gestures.
- He displayed another diagram showing how the house would not cause shadows to the adjacent house and how the light wells help with bringing sun to the house.

(+) Joe O'Donaghue

- The question is that the project is conforming to the code.
- Parking and open space is an issue of every development no matter what neighborhood.
- There are issues for various agencies of the City.
- This is a typical San Francisco case.

ACTION: Hearing held. Public Comment closed. Item continued to February 17, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

15. 2004.1170D (M. SNYDER: (415) 575-6891)
3635 20TH STREET - south side between Guerrero Street and Valencia Street, Lot 069 in Assessor's Block 3608 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2004.09.15.4246, proposing to merge the existing two units back to a single-family dwelling in an RH-3 (House, Three-family) District, the Liberty Hill Historic District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the merger.
 (Continued from Regular Meeting of January 13, 2005)

SPEAKER(S):

(+) Sara Whitt

- They purchased their home in 2004.
- They currently live 10 houses away.
- They are looking forward to moving in, staying in the neighborhood and improve the historic home.

(+) Brett Gladstone

- The original single family home was used as a boarding house.
- One can hardly tell that there are two units.
- At least \$120,000 dollars needs to be invested on each floor to make the units livable.
- This historic building has never lost its single-family character.
- The project sponsor will take care of this home.

(+) Amy Adamson – Project Architect

- The home is in great disrepair.
- The use of two independent units is very poor.
- The mechanical and plumbing systems are substandard. The acoustic separations are substandard since there is no insulation. There is no heat in one unit. One of the bedrooms does not have a closet. To go into another room one has to go through the kitchen, etc.

(+) John Barbey – Liberty Hill Neighborhood Association

- He lives on the same street.
- The subject project is like the anchor house of the neighborhood.
- The house has very nice architecture but requires a lot of work.
- The area has become quite desirable for affordability.

(+) Alisa Criegel

- She lives next door to the subject project.
- She is in support of the merger.
- The maintenance of this house is very important to the neighbors.
- She supports all of the repairs that are proposed.

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

16. 2002.1305C (M. SNYDER: (415) 575-6891)
1096 SOUTH VAN NESS AVENUE -previously Driscoll's Mortuary Chapel, northwest corner of South Van Ness Avenue and 22nd Street, Lot 10 in Assessor's Block 3615 - **Request for Conditional Use** authorization to establish a full service restaurant and a place of entertainment that would be open until 2:00 am within a building that was previously used as a mortuary. Conditional Use authorization is required for (1) hours of operation between 11:00 pm and 2:00 am pursuant to Planning Code Sections 710.27 and 790.48; (2) the establishment of other entertainment pursuant to Planning Code Sections 710.48 and 790.38; (3) the establishment of a full service restaurant on a lot

within ¼ mile of the 24th Street – Mission Neighborhood Commercial District Pursuant to Planning Code Sections 710.42 and 727.42; (4) the establishment of a restaurant use on the second floor of a building designed for a single tenant pursuant to Planning Code Section 186.1(b) and 186.2(a); and (5) a full liquor license in association with a restaurant use (defined as a "bar" use by Planning Code Section 790.22); the bar use would be required under Planning Code Section 186.1(e) to be transferred from an existing non-conforming bar at another location. No exterior alteration is proposed. The project is within an NC-1 (Neighborhood Commercial, Cluster) District, a 50-X Height and Bulk District, and the Mission Alcoholic Restricted Special Use District.

Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of November 29, 2004)

SPEAKER(S):

(+) Lou Blazej – Representing Project Sponsor

- He displayed a block and lot map of the project location.
- The interior will not be changed.
- The project will be very attractive to the neighborhood.
- There is a 25-foot separation between the project location and the Buddhist Temple.
- The Mission Anti Displacement Coalition is still in opposition. They need more time to review the project.
- The use will be very affordable to the community and it will be family serving.

(-) Jim Lappin

- Many people have left.
- There is a large number of alcohol serving establishments in the area.
- In order to preserve the family neighborhood, this project should not be approved.
- This project does not meet the Planning Code.
- Any restaurant can thrive without a liquor license.
- This project will only cause problems with the police and the neighbors.

(-) Ralph Hibbs

- It is stated that the project is a necessary and compatible project for the neighborhood.
- The size of the establishment exceeds what is allowed.
- The neighborhood is already struggling with gangs and violence.

(-) Scott Dudley

- He lives on Capp Street.
- He supports properties and restaurants in the neighborhood but there are certain conditions that need to be established.

(-) did not state name

- He received the notice in the mail that the project was preliminarily approved.
- Alcohol makes people not know what they are doing.
- To close at 2:00 in the morning is terrible when people do not know what they are doing
- He read a letter from a friend who is opposed to the project.

(-) Su-Ching Chen

- She is opposed to the project.
- She has had the personal experience of having two tires of her vehicle stolen.
- She is afraid that there are people who will give your car [an unwelcome] evaluation.

(-) JoEllen Ku (spoke through an interpreter)

- She is a member of the Buddhist Church.
- They are working very hard on the harmony of the project.
- They usually use the church as a retreat house.
- There is already a nightclub across the street.
- There is always glass from vehicles near the curb, which they have to clean up.

(-) Chung Ning Huynh

- She submitted a letter from some who are against the project
- There is junky furniture there as well.
- She is totally against the project.

(-) did not state name (spoke through an interpreter).

- She does not understand English and this makes her uncomfortable.
- The project sponsor has not been very nice to her.
- She is opposed to the project because there are no good neighbor gestures.

(-) Richard Wille

- He lives on South Van Ness.
- The pictures did not show the building that he lives in.
- He already knows what kind of noise the project will create.
- This will make his life unlivable.
- This type of project does not belong in an area that is a residential neighborhood.

(-) James Buckner

- He is concerned about the size and scope of the project.
- He is opposed to the serving of liquor at such late hours.
- He is not opposed to a restaurant type project.
- He has met the owners and knows that they are nice people.
- The owners have not been taking care of the building.

(-) Heidi Hess

- She has concerns about having a bar at this location.
- She lives close to the project site.
- The owner has been unclear about menu and what type of food they want to bring in.
- A bar open until 2 a.m. would be a negative to the neighborhood.
- The mortuary had a parking lot but that lot was sold and it will be developed with something else. She is worried about parking.
- There has been a lot of graffiti recently.
- If the restaurant does not do well, she fears that the building will return to being neglected.

(+) Phillip Lesser – Mission Merchant’s Association

- There are a lot of problems when a building is abandoned.
- When he did outreach with the Buddhist Temple, he mentioned that there was a search committee to tastefully deal with this particular project.
- He hopes that the Commission will approve this project.

(+) Rick Merdo

- He is the executive chef of the project.
- He has worked at various restaurants.
- He wants to make this a [true] restaurant.
- He would offer seafood with a southwestern twist.
- He has surrounded himself with good management.
- He hopes that he can fulfill the vision of the owners.

(+) Eileen Long

- She has lived near the property for many years.
- She is one of the project sponsors.
- She anticipates creating many jobs and many of the employees will live locally.
- She hopes that the Commission will vote favorably on the project.

(+) Flip Sarrow – President of the Haight Ashbury Association

- Some of the owners of this project own a bar in the Haight.
- The establishment on the Haight has always been managed well.
- They have been conscientious of the community.
- He knows that the project sponsors will do the same with the project on South Van Ness.

(-) Richard Marquez – Mission Anti-Displacement Association

- He met with the project sponsors.
- They have come to a no agreement status after they met to discuss the project.
- There are concerns about the hours of operation, the menu pricing agreement, etc.
- They will not be able to support this project.

(+) Neil Wright

- He has lived on South Van Ness for three years.

- He has lived previously in the Mission for nine years.
- The Mission District has a very large problem of crime.
- He owns a business on Mission Street.
- He has met with several police officers about the crime issue.
- The only way to change the issue of crime is to change the neighborhood and allow different businesses there.
- The project sponsors will be investing a lot of money to make this a better place to live.

(+) Matthew Brennan

- He lives on Capp Street.
- He supports this project. It will be a great addition to the neighborhood.

(-) Shirley Wong

- She lives on South Van Ness.
- She supports this project and the owners should be commended for what they are trying to do.
- The project sponsors will revitalize this property.
- Many business owners in the area have done a lot to clean up the area.
- The project sponsors will work with the neighbors and promote a safer, cleaner neighborhood.

(+) Mark Brennan

- He supports this project.
- There are vagrants living in doorways and this project will stop that.
- The building is a very nice building and he hopes to preserve the structure.

(+) Brian Maloney

- This is a very important structure.
- Mike Driscoll was a Supervisor of San Francisco.
- He has restored various buildings in the area.
- It is very difficult to control graffiti.
- The building will be completely soundproof, completely coded, and upgraded.

(+) Natasha Maloney

- She was born and raised in the Mission.
- She has fond memories of the Mission.
- She will be working as an event planner if the project is approved.
- This will be a bar and restaurant that will value diversity.
- The goal is to enrich the culture of the Mission District.

(-) Sue Hestor

- She has been working on Mission rezoning issues for eight years.
- The trouble with this project is that the project sponsor is asking for the "moon."
- If the project sponsor would ask for regular hours there would not be so much controversy.
- She regularly goes down South Van Ness late. There are a lot of restaurants on South Van Ness and most are not open past 10:00 p.m.
- There will be a huge parking demand.
- If this place were located on Mission Street there would not be a neighborhood war.
- The only thing that should be approved is the restaurant part of the project.

(-) Jennifer Lin

- She is a member of the Buddhist Temple.
- She is opposed to the project.
- The people that are supporting the project did not address liquor consumption.
- No one is against having a restaurant.
- They will be happy that the building has a compatible business that is favorable to the community.

(+) Joe O'Donoghue

- This project has a clash of two cultures.
- He knew that the project sponsor would encounter a lot of controversy to try to establish a business at this location.
- Every area has quality of life issues so things need to be balanced.

- It is important to think of how this project can be made viable as well as the right for neighbors to have peace and quite.

ACTION:

Approve the Conditional Use with modifications:

- 1) Condition No. 4 should read: The facility may operate with a full liquor license, or as a bar use as defined by Section 790.22 only in conjunction with the full service restaurant / banquet facility use and only after it has been demonstrated to the Zoning Administrator that the bar use has been transferred from an existing non-conforming bar within the subject NC-1 District or within the Mission 24th Street NCD. However, the restaurant / banquet facility may operate as a full service restaurant / eating place as defined by Alcoholic Beverage Control License Type 41 which allows minors to be on the premises and consumption of beer and wine in conjunction with a bona fide eating place.
- 2) Condition No. 5 should read: For the proposed use to serve alcohol under with a full alcoholic license, the use must meet the definition of a "bona-fide restaurant" under Planning Code Section 781(c).
- 3) Project Sponsor may bring back project before the Commission within a period of 6 months.

AYES:

Antonini, Hughes, S. Lee, W. Lee, Olague

NAYES:

Alexander

ABSENT:

Bradford Bell

MOTION:

16930

17. 2004.0574C (M. SNYDER: (415) 575-6891)
1656 SHAFTER AVENUE - north side between 3rd Street and Lane Street, Lot 005A in Assessor's Block 5342 - **Request for Conditional Use** authorization to subdivide the existing 50-foot wide by 100-foot deep lot, which contains two single-family dwellings, into two lots with one resulting lot having a width of only 23-feet. Conditional Use authorization is required to establish a lot less than 25-foot wide under Planning Code Section 121(f). The subject property is within an RH-2 (House, Two-family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Olague

MOTION: 16931

18. 2004.0906EC (M. LI: (415) 558-6396)
981 WASHINGTON STREET - south side between Powell and Stockton Streets, Lot 024 in Assessor's Block 0211 - **Request for Conditional Use** authorization to expand the Chinese Independent Baptist Church. The project would add a four-story, 4,600-square-foot addition at the rear of the existing church, which is currently 7,120 square feet in area and four stories high. The site is within an RC-4 (Residential-Commercial Combined, High Density) District and a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Lincoln Lew – Project Architect**

- The church is one of the oldest institutions in Chinatown.
- The church has also been a leader in the community.
- They would like to expand their services and need space to grow.
- He gave a general architectural description of the project.
- The project has a large community neighborhood support.

(-) Dennis Leung

- He and his family live on Powell Street.
- There are about 30 people who oppose this project.
- His family wants to remain living there.
- They are concerned about the adequacy of air. Powell Street is a very congested street.
- The project sponsor does not want to provide a setback of 10 feet. They will only agree to five (5) feet.

(-) Alan Leung

- He was born and raised on Powell Street.
- When he looks out his back window, he will see a concrete window.
- His mom just had open-heart surgery and really enjoys the fresh air and the sunlight coming in.
- He has lived there 45 years and the church has never had any intention to expand.

(+) Amos Lee – Pastor

- He appreciates the concern of neighbors.
- The church has been in existence for 100 years.
- There are some churches in Chinatown that are moving their ministries out of Chinatown.
- They would like to remain in the area and continue to serve the neighbors.
- For the last 10 years, they have been very responsible.
- They would like to expand their senior and youth ministries especially to those at risk.
- Some Supervisors support the expansion.

(+) Sam Leong

- He is a native San Franciscan.
- He works at the church as a deacon and psychologist.
- There are many youth that need support and guidance, especially when their parents work most of the day.
- The project would open a youth center for these youth to hang out in.
- Many families in the neighborhood have children that need to go to a place where they can receive tutoring.
- They will expand their after school program.

(+) Gina Zhou

- She is the president of the senior fellowship of the church.
- They serve not only members of the church but also members of the community.
- They want to provide a warm and caring place for the seniors.
- Many seniors are alone and need a place to be involved and welcomed.
- She hopes that the Commission will agree to not setting back five feet.

(+) Raymond Yee

- He is part of the church and a professor.
- Many families today have either one parent to take care of the children and/or both parents work all day.
- The enrollment of the church has grown in the last three years so now there is a demand for space.
- He hopes that the Commission will approve the project with no changes because every bit of space is crucial.

(+) Yim Fong Wong

- He read a letter from Jim Fong Wong who is in support of the project.

(+) Mary Go

- She is a member of the church.
- She read two letters from members who are in support of the project.
- The first is from Ms. Ana Lee who is the principal of the school and the second is from a parent of a child who benefits from the church program.

(+) Catherine Chan

- She has been a member of the church for about 30 years.

- She remembers when she came to this country and her parents did not speak English. Her parents had to work extra hours so they did not have time for their kids. The church allowed her to spend her time doing good things.
- There is a need for an elevator and handicap access.
- There is also a need for more restrooms.
- She hopes that the Commission will approve the project as presented.

(+) Maggie Tam

- She and her family recently came to San Francisco.
- She is a member of the church.
- They have made many friends since they became members.
- She and her husband had urgent business to take care of in Hong Kong and she was able to leave her three daughters with members of the church.
- She is glad to see that the church is growing.

(+) Lucy Mark

- She read a letter from a senior member of the church who is in support of the project.
- Lucy Mark stated that she is in support of the project as well. She is an elderly person and knows that elderly and handicapped person need to be members of the church.
- The expansion would allow accessibility for them.

(+) Nancy Kwong

- She is a member of the church and she sees the need for the extra space.
- When the building committee proposed the expansion, the church members agreed with the proposal.
- Between the members and the committee, they have raised thousands of dollars for the expansion.
- Many of the people here have been here all day because they are passionate about the project.
- She hopes that the Commission will approve the project as proposed.

(+) Johnny Tang

- He is a deacon and member of the church.
- The expansion is not just to have a high building but for a better and larger facility to serve the community.
- Every inch of the proposed project will help the church and it's members.
- He hopes that the Commission will approve the project as proposed.

(-) Cynthia Koon

- She is a property owner behind the lot of the church.
- She inherited the building from her mom.
- She is a graphic artist and needs all the natural sunlight possible.
- She supports the setbacks proposed.

ACTION: Approved with the following amendments to Conditions of Approval:

- 1) Condition of Approval No. 3 shall read: The proposed addition shall incorporate a five-foot setback along the western property line.
- 2) Condition of Approval No. 4 shall read: The Project Sponsor shall meet with officials from Gordon J. Lau Elementary School to develop a construction plan (access, schedule/timetable, street closures, etc.).

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 16932

19. 2004.0940C (S. VELLVE: (415) 558-6263)
1726 HAIGHT STREET - north side between Cole and Shrader Streets; Lot 035 in Assessor's Block 1229 - **Request for Conditional Use** authorization pursuant to Sections 303 and 790.130 of the Planning Code to locate an approximately 4,600 square foot Financial Service (a branch of Wells Fargo Bank) within the ground floor of a recently constructed mixed-use building. Conditional Use is required as the proposed size of the

bank exceeds the principally permitted use size of 2,499 square feet. The site is within the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(-/+) Ted Loewenberg

- He supports having a bank on Haight Street.
- However, there is another issue about this site. About 6 months ago Urban Outfitters was rejected because there were a large number of similar merchants in the neighborhood.
- Wells Fargo is a formula business that has an excess of 2,500 sf, etc.
- Competition will not be served if the bank is approved.
- It is important that the Commission determine what free market is.

(+) Flip Sarrow – Haight Street Association

- Haight Street did not need Urban Outfitters but they do need a bank.
- They have spent several years trying to get banks to come to the Haight.
- The merchant's overwhelmingly need this bank.
- He hopes that the Commission will approve this project.

(+) Ron Mahoney

- The Haight needs a bank and this is a "no-brainer."

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 16933

20. 2004.0560E (J. NAVARRETE: (415) 558-5975)
787 BRANNAN STREET (aka 785 BRANNAN STREET; aka 100 GILBERT STREET) - Appeal of Preliminary Negative Declaration - The proposed project is the construction of a five-story, approximately 50-foot tall, 29,653 gross-square-foot (gsf) residential building with 56 single room occupancy (SRO) units. The ground floor would contain a lobby, a manager's office, a community room for the residents and 8 SROs. The second through fifth floors would include 12 SRO units on each. No off-street parking or off-street loading would be provided. A 900-square-foot roof deck would be provided as common usable open space meeting the requirements of the Planning Code. The project site is 6,124 square feet in size and currently used as a 20-space surface parking lot, located on the northeast corner of Brannan Street and Gilbert Street in the South of Market District. Pedestrian access to the building lobby and the community room would be through one door mid-lot on Brannan Street. All of the units would be rental units designated as permanently affordable to households with income not exceeding 50% of the City's median income. The project site is zoned SLI (Service Light Industrial) and is within a 50-X height and bulk district. Conditional Use authorization is required for SRO units in the SLI district, and parking, rear yard, and permitted obstruction variances would be required for the proposed project.
Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of December 16, 2004)

SPEAKER(S):

Re: Continuance

Randy Shaw

- He would like a continuance.
- He would like the case to be first on the date it is continued to.

Bill Graziano

- He agrees with the continuance request.

- He would like to have the correct plans for review.

Jerry Scott

- There is a significant environmental problem in the area.
- She submitted a letter to the planner, which gives a list of the people who were to be noticed about the environmental review.
- Because this was not done, she has requested a continuance.

ACTION: Without hearing, item continued to February 3, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 21a. 2004.0560EKCV D (D. SIDER: (415) 558-6697)
787 BRANNAN STREET (aka 785 BRANNAN STREET; aka 100 GILBERT STREET), southwest corner of Gilbert Street; Lot 018 in Assessor's Block 3784 - Request for **Conditional Use Authorization** to allow the construction of Single Room Occupancy (SRO) units in a Service/Light Industrial (SLI) Zoning District pursuant to Planning Code Section 817.16. The proposal would construct a new five-story building containing fifty-six SRO dwelling units, each of approximately 400 gross square feet, on a vacant parcel currently used for parking. The property is within an Service/Light Industrial (SLI) Zoning District, an Industrial Protection Zone (IPZ) as set forth in Planning Commission Resolution 16202, and a 50-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): See Speakers for Item 20.

ACTION: Without hearing, item continued to February 3, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 21b. 2004.0560EKCV D (D. SIDER: (415) 558-6697)
787 BRANNAN STREET (aka 785 BRANNAN STREET; aka 100 GILBERT STREET), southwest corner of Gilbert Street; Lot 018 in Assessor's Block 3784 - Request for (1) a Modification of rear yard requirements pursuant to Code Section 134(e)(1) and 307(g), and (2) Variances from [a] permitted obstruction limits for bay windows set forth in Code Section 136(c)(2)(B) and 136(c)(2)(D) and [b] off-street parking requirements set forth in Code Section 151. A **Variance from parking requirements** is required because no off-street parking spaces are proposed while the Code would require three spaces. A **Variance from permitted obstruction limits** is required because bay windows of a maximum depth of three feet and maximum width of sixteen feet are proposed while the Code would limit maximum depth of some bay windows to two feet and maximum width to between nine and fifteen feet. A **Modification of rear yard requirements** is required because intermittent yard spaces of no more than five feet in depth are proposed while the Code would require a rear yard of at least fifteen feet. The proposal would construct a new five-story building containing fifty-six SRO dwelling units, each of approximately 400 gross square feet, on a vacant parcel currently used for parking. The property is within an Service/Light Industrial (SLI) Zoning District, an Industrial Protection Zone (IPZ) as set forth in Planning Commission Resolution 16202, and a 50-X Height and Bulk District.

SPEAKER(S): See Speakers for Item 20.

ACTION: Without hearing, item continued to February 3, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 21c. 2004.0560EKCV D (D. SIDER: (415) 558-6697)
787 BRANNAN STREET (aka 785 BRANNAN STREET; aka 100 GILBERT STREET), southwest corner of Gilbert Street; Lot 018 in Assessor's Block 3784 - **Mandatory Discretionary Review** of a project which would create housing within an Industrial

Protection Zone (IPZ), as required under Commission Resolution 16202 for all such projects. The proposal would construct a new five-story building containing fifty-six SRO dwelling units, each of approximately 400 gross square feet, on a vacant parcel currently used for parking. The property is within an Service/Light Industrial (SLI) Zoning District, an Industrial Protection Zone (IPZ) as set forth in Planning Commission Resolution 16202, and a 50-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and Approve Project.

SPEAKER(S): See Speakers for Item 20.

ACTION: Without hearing, item continued to February 3, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

22. 2004.0915C (D. SIDER: (415) 558-6697)
1598 DOLORES STREET - northwest corner of 29th Street; Lots 40 through 52, inclusive, in Assessor's Block 6618 - **Request for Conditional Use** authorization to modify conditions of approval set forth in Planning Commission Motion Number 16445 as modified by Board of Supervisors Motion Number M02-163 and relating to Planning Department Case Number 2000.1058C to allow payment of an in-lieu affordable housing fee rather than provide on-site affordable housing, pursuant to inclusionary housing policies set forth in Planning Commission Resolution Number 16350. In September of 2002, the City authorized construction of two 4-story buildings on the subject property containing a total of 13 units and up to 26 independently accessible off-street parking spaces; both buildings are now complete. Conditions of approval require one of the proposed units to be provided as a Below Market Rate (BMR) unit. This proposal would modify previous conditions of approval to allow the payment of an in-lieu fee to the Mayor's Office of Housing rather than provide the required BMR unit on-site. No physical work is proposed. The property is within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Disapproval
 (Continued from Regular Meeting of November 29, 2004)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 17, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

23. (M. FOSTER: (415) 558-6362)
OVERVIEW OF THE PROPOSED MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - **Informational presentation** on the proposed Mid-Market Redevelopment Plan and SUD. Staff will provide an overview of the Plan's key goals and proposals, outline the key issues related to the proposed Special Use District, and describe the schedule for further Planning Commission review.
 Preliminary Recommendation: No Action Required by Commission
 (Continued from Regular Meeting of December 2, 2004)

SPEAKER(S): None

ACTION: Meeting held. Informational presentation only. No action required.

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the

Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 9:10 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 24, 2005.

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Hughes, S. Lee, W. Lee
ABSENT: Alexander, Olague
EXCUSED: Bradford Bell

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, February 3, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

APR 12 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Dwight Alexander; Michael J. Antonini, Shelley Bradford Bell,
Sue Lee; Christina Olague

COMMISSIONERS ABSENT: Kevin Hughes and William L. Lee

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:37 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Geoffrey Nelson; Joy Navarrete; Dan Sider; Susan Snyder; Joshua Switzky; Mary Woods; Michael Li; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.1008D (W. HASTIE: (415) 558-6381)
91 BENNINGTON STREET- north side between Cortland and Eugenia Avenues, Lot 18 in Assessor's Block 5666 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all dwelling unit mergers, of Permit Application No. 2004.0602.5366; the proposal is to expand the existing ground floor retail business (Red Hill Books) which will significantly reduce the square footage of the dwelling unit located behind the retail space and result in the de facto removal of that unit. The subject property is zoned NC-2 (Small-Scale Neighborhood Commercial) District and is in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
(Proposed for Continuance to February 10, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 10, 2005

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

2. 2004.0858C (D. DiBARTOLO: (415) 558-6291)
766 VALLEJO STREET - north side between Powell and Stockton Streets; Lot 043 in Assessor's Block 130 - **Request for Conditional Use Authorization** pursuant to Section 722.83 of the Planning Code to install and operate a wireless telecommunication facility for AT&T Wireless Service, roof-mounted on the existing building comprising a parking garage and police station. Under the City and County of San Francisco's Wireless Telecommunication Services (WTS) Facilities Siting Guidelines, the property is a Preferred Location Preference 2, as a co-location site of previously approved antenna installations. The proposal is to install six panel antennas at three different locations on the roof of the approximately 67-foot high building. Related equipment would be placed on the fourth floor level within the parking garage a basement storage area. The property is within the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to April 7, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to April 7, 2005
AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague
ABSENT: Hughes and W. Lee

3. 2004.0945C (J. PURVIS: (415) 558-6354)
695 BRYANT STREET - southeast corner at 5th Street; Lot 047 in Assessor's Block 3777 - **Request for Conditional Use Authorization** under Planning Code Section 890.50 for the intensification of a homeless shelter from a 205-bed capacity to a 345-bed capacity within an existing two-story-over-basement building. The site is within an SLI (Service/Light Industrial) Mixed Use District, a 50-X Height and Bulk District and is within the Industrial Protection Zone under Planning Commission Resolution No. 16202.
Preliminary Recommendation: Pending
(Proposed for Continuance to April 14, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to April 14, 2005
AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague
ABSENT: Hughes and W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Commission Comments/Questions

Commission Secretary:

Re: Minutes

- Because she has had to oversee Department Administration and Commission matters for a few months, the minutes for Planning Commission meetings have been delayed.
- Since the new Chief of Administration position has been filled, she will be able to concentrate just on Commission matters.
- She will be submitting minutes as soon as possible.

Commissioner Bradford Bell:

Re: Death of her nephew

- She thanked the public for their support and condolences for the death of her nephew.

Re: Planning Commission not being televised

- She asked why the Commission would not be televised. She had the understanding that the money to pay for being televised came from funds from the Department of Building Inspection and not the General Fund.

Interim Director Macris responded:

- He is not sure why either but he knows that the Commission Secretary will be researching this information.

Re: Stan Warren

- She would like to adjourn this meeting in the memory of Stan Warren.

Commissioner Antonini:

Re: Rincon Hill

- One of the objectives of this plan was to set aside workforce housing.
- This is a real critical issue.
- Much of the work force has been excluded.
- It is important to find some kind of solution to address this problem.

C. DIRECTOR'S REPORT

5. Director's Announcements

Re: Budget

- They had a very good session regarding the budget.
- He will provide a budget draft this week and will probably have it delivered by hand.

6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None

BOA – The Zoning Administrator reported

Re: 23 Eureka

- This case was heard by the Commission.
- The project consists of a very small cottage that was being raised five feet to use the lower floor. He granted a Variance for this and it was upheld +4-0.

Re: 1244-1268 Sutter Street (Old Regency Theatre)

- There was a proposal to use the building as a fabric design studio.
- There were a lot of people working on computers so he determined it was more of an office activity.
- The board overturned him +3-1.

Commissioner Antonini:

Re: Harding Theatre

- He does not remember that this building still had the configuration of a theatre.

Zoning Administrator Responded:

- There are some significant features that are original to the theatre.

7. Informational presentation of currently proposed changes to the First Congregational Church project at 1300 Polk Street, northeast corner at Bush Street, Conditional Use authorization of Case 2002.1010C, approved by the Planning Commission on July 31, 2003.

SPEAKER(S):**Tod Kimies**

- He displayed a rendering of the redesign of the church and gave general architectural details of the project.

ACTION: Informational Presentation Held. No action required or taken.

8. Discussion of conditions under which the Zoning Administrator can make changes to projects previously approved by the Commission, and whether or not those projects should be brought back before them.

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Jackie Brison

525 5th Street

- There have been a number of complaints about this building.
- This is supposed to come before the Commission eventually.
- She was ejected from the shelter. She is a disabled person and the building is not ADA compliant.
- The process is too slow so if worse comes to worse; she will shut down the building.

Ernestine Weiss

Re: Meetings not televised

- She is concerned about the meetings not being televised.
- This is the most important Commission as far as she is concerned.
- She also wanted to know if a director had been chosen?

Charles Marsteller

Re: 724 Van Ness Avenue

- It is his view that a Conditional Use and a Variance does not exist for the building that the project sponsor intends to build: 130 market-rate and BMR condominiums with 52 parking spaces.
- This bait and switch project subverts the integrity of the Conditional Use process and sets dangerous precedents for others to follow.
- They still believe that the Planning Commission should recall this project for public hearing.

Sue Hestor

Re: Avalon Ballroom/Regency Theater

- She is concerned that the Zoning Administrator does not submit documents to the Planning Commission.
- If the definition of office is not preserved or identified, then the City Attorney should provide that information.
- She is really troubled by this.
- She requested that the Commission schedule a new hearing on this matter.

Joe O'Donoghue

Re: Planning Commission not being televised

- It is very important to have the Commission televised.
- He knows that there are funds to cover the costs of being televised.
- He feels that the Mayor has been getting bad advice.
- It seems like this is just censorship.

E. REGULAR CALENDAR

9.

(LORI YAMAUCHI)

UCSF INSTITUTIONAL MASTER PLAN - Informational presentation on the University of California, San Francisco (UCSF) Long Range Development Plan (LRDP) Amendment on Hospital Replacement. UCSF proposes to amend its LRDP to recommend future clinical uses and development at Parnassus Heights, Mission Bay and Mount Zion in order to replace some of UCSF Medical Center's inpatient facilities now at Parnassus Heights and Mount Zion.

SPEAKER(S):

Bruce Spalding – Vice Chancellor - University of San Francisco

- He gave a general presentation on the history of the University.
- They are currently proposing a major amendment to the University.
- He is here to answer policy questions.

Lori Yamaguchi – University of San Francisco

- She gave a PowerPoint presentation on the project's overview which consisted of the 1) Long Range Development Plan; 2) the current UCSF Medical Center Facilities; 3) the case for new hospital facilities; 4) planning process to date; 5) potential hospital replacement sites; 6) site selection evaluation criteria; 7) community participation in the planning process; 8) options evaluated and long term vision to 2030; 9) clinical programs at each site; 10) second phase recommendations; 11) discussions with the Department of Public Health; and 12) Environmental Impact Report.

John Bardin

- This is a very interesting presentation.
- There is more information that could have been provided.
- There is an institutional master plan ordinance that is "on the books" right now.
- It would be appropriate for the Commission to respond to this and make public this response in order to make a more balanced picture.
- This would be in the best interest of the University.

Julie Milbourne – San Francisco College of the Arts

- They love UC and it will go a long way to turn Mission Bay to a wonderful neighborhood.
- She thanked them for this.

ACTION: Hearing Held. No Action Required by the Commission.

10a.

2004.0884D

(G. NELSON: (415) 558-6257)

1517 IRVING STREET - south side between 16th and 17th Avenues; lot 047 in Assessor's Block 1771 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2004.04.13.1124, proposing to demolish a one-story (over uninhabitable ground floor), single-family dwelling in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. The two-family dwelling is located at the front of the lot. There is a related proposal (2004.0855D) to construct a four-story, three-family dwelling with three off-street parking spaces.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition

(Continued from Regular Meeting of January 27, 2005)

SPEAKER(S):

(+) Jeremy Paul – Representing Project Sponsor

- This is a three unit building on an underdeveloped lot.
- Mr. Patrick Buskovitch did the soundness report and he is here and available to answer questions.
- The size and scale of the surrounding buildings are similar to the one proposed.
- There is a dentist office that had some concerns regarding the construction.
- He gave a PowerPoint presentation on the details of the interior floor plans of the units.
- The site is no longer providing sound housing.

(+/-) Dr. Calvert Chang

- He is a property owner on the block.
- He welcomes the development of the site.
- He is only concerned at the actual height of the building.
- The building will be 20 feet higher than his building and by 3:00 he will be in total shadow.
- He just asks for a slight scale back of the building.

(+/-) Bruce Ng

- He also owns property on the block.
- He agrees with Dr. Chang.
- There is graffiti at the location so he welcomes the construction.
- He would like a solid wall put up during the construction instead of a chain link fence.
- There are concerns between a light well and an adjacent building. There should not be access from that light well.

MOTION: To take Discretionary Review and disapprove the demolition.

AYES: Alexander, Bradford Bell, Olague

NAYES: Antonini and S. Lee

ABSENT: Hughes and W. Lee

RESULT: Motion failed

ACTION: Hearing Held. Public hearing closed. Item continued to February 24, 2005 to allow the absent Commissioners the opportunity to participate in the final action.

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

- 10b. 2004.0885D (G. NELSON (415) 558-6257)
 1517 IRVING STREET - south side between 16th and 17th Avenues; lot 047 in Assessor's Block 1771 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2004.04.13.1125, proposing to construct a four-story, three-family residential structure with three off-street parking spaces in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. There is a related proposal (2004.0884D) to demolish the single-family dwelling at the rear of the lot.
 Preliminary Recommendation: Do not take Discretionary Review and approve the new construction

(Continued from Regular Meeting of January 27, 2005)

SPEAKER(S): See Speakers for Item 10a.

ACTION: Hearing Held. Public hearing closed. Item continued to February 24, 2005 to allow the absent Commissioners the opportunity to participate in the final action.

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

Items 11 and 12 a-c were called and heard together.

11. 2004.0560E (J. NAVARRETE: (415) 558-5975)
787 BRANNAN STREET (aka 785 BRANNAN STREET; aka 100 GILBERT STREET) -
Appeal of Preliminary Negative Declaration - The proposed project is the construction of a five-story, approximately 50-foot tall, 29,653 gross-square-foot (gsf) residential building with 56 single room occupancy (SRO) units. The ground floor would contain a lobby, a manager's office, a community room for the residents and 8 SROs. The second through fifth floors would include 12 SRO units on each. No off-street parking or off-street loading would be provided. A 900-square-foot roof deck would be provided as common usable open space meeting the requirements of the Planning Code. The project site is 6,124 square feet in size and currently used as a 20-space surface parking lot, located on the northeast corner of Brannan Street and Gilbert Street in the South of Market District. Pedestrian access to the building lobby and the community room would be through one door mid-lot on Brannan Street. All of the units would be rental units designated as permanently affordable to households with income not exceeding 50% of the City's median income. The project site is zoned SLI (Service Light Industrial) and is within a 50-X height and bulk district. Conditional Use authorization is required for SRO units in the SLI district, and parking, rear yard, and permitted obstruction variances would be required for the proposed project.
Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of January 20, 2005)

SPEAKER(S):**(-) Gerrie Scott – CCSS – Citizens for Cleaner Safer SOMA**

- They are working with various agencies to clean up the area.
- The Negative Declaration is incorrect on various accounts.
- She has been given several plans so she is a bit confused.
- She has been given documents that have been "whited out" and then written over.
- She is concerned with the garbage cans that will be left on the street.
- She does not know why the project sponsor would not have the garbage company pick up the various garbage cans.

(-) Sue Hestor

- There is no parking control in the area so this is an environmental issue.
- The environmental documents need to deal with reality and not standards.
- The City has been lax on putting signs up in the area.
- The analysis of parking problems in this document is not accurate. Garbage is an environmental issue.
- The 20-day notice for the Conditional Use has been ignored.

(-) David Lupo – Carpenter's Union – Local 22

- Is the project sponsor prepared to report on who will be doing the construction on this project?

(-) Bill Graziano

- He and his father have a business in the area.
- He knows the real problems of traffic in the area but this document seems to ignore them.
- He knows several businesses that have left the area because of the parking situation.
- Instead of a roof deck there should be real open space. The unit in the back could be eliminated.
- Maybe the amount of required housing could be reduced.

(-) Nathan Letts - CCSS

- He has been a resident of the area for four years.
- There are a lot of parking problems on that street.
- Recently a restaurant was approved and it has caused more traffic in the area.

- There is also a trash problem in the neighborhood.
- Having an inside pickup of the garbage cans would be a good idea.

(-) Scott Krager

- He has been in the neighborhood for many years.
- When the Hall of Justice was built, they did not provide any parking in the area.
- He has gone to a lot of meetings with the Parking and Traffic Department to express his concerns about the area.

(-) Bruce Wineberg

- He has been in the neighborhood.
- He knows that the problems of traffic and garbage are large.
- All the bail bonds, the Hall of Justice, etc. takes up all the parking and even the sidewalks.
- This situation will make the problem much worse.

(-) Anusha Chari - CCSS

- She walks home in the early evening and safety is her concern.
- There is very little lighting in the area.
- She is concerned that the project will not have a supervisor living on the premises.

(-) Bob Anderson

- There is a lot of information that is missing from the EIR.
- Garbage is an absolute problem in the area.
- Indoor garbage receptacles would be a good idea.
- The size of the building is too large.

(-) Richard Morro

- The project will affect negatively the neighbors because of shadows.

(+) did not state name

- Land has always been an issue.
- He does not believe that in an SRO building there will be tenants with too many cars.
- There are many SRO buildings that do not have trash all over the place.
- This project is a very good project and will add to the community.
- Not everything should be blamed on the type of building.

(-) Barton Devirson

- He has owned a business in the area for the last six years.
- There are actually about 30 parking spaces being lost.
- It is difficult to run a business in the area.
- The businesses were there first and there should be some consideration.

(-) Timothy Rose

- He is representing the tenants of a building in the area.
- There are no windows on the east and west side of the building.
- Covering the windows will get rid of half of the light into the units.

(+) Randy Shaw – Director of Tenderloin Housing

- They work very well with the people on Gilbert Street regarding the garbage.
- Their only concern was that they did not want more garbage trucks come through this small street creating more noise and traffic.
- The building next door is not a residential building.
- There is not that many people that own cars.
- These are studio apartments and not SROs.
- The entire project will have people that quality to live there if they have lived in an SRO for more than one year.
- It is unfortunate that [some of you believe that] people that live in SRO units are people that will be going through garbage cans.

- This is an opportunity to expand their housing program to the homeless.

(+) Valery Simpson – General Manager of the Tenderloin Housing Clinic

- There are people that live at the hotel and she hears them speak about moving into a studio apartment.

- There is a class called working class homeless because people work but cannot afford a decent place to live.

- There are many people who are ready to live normal lives.

(+) Wendy Tompson – Support Services Manager for the Tenderloin Housing Clinic

- There are many people who cannot afford regular apartments.

- This project will make this possible.

- She was homeless before. She was eventually employed by Tenderloin Housing and has been able to move up.

- She was still not able to afford a market rate apartment.

- There will be people that will be reuniting with their children.

(+) Alice Barkley – Representing the Tenderloin Housing Clinic

- There will be an onsite manager that will be paid by the Tenderloin Housing Clinic.

- People have had adequate notice of this project.

- The units will be 100% affordable.

- The garbage will be in the garbage room.

- She is available for further questions.

(+) Anthony Faber

- He is in favor of the project.

- This is a great project.

- It is difficult to live in an SRO because a bathroom has to be shared.

(+) Bill Murphy

- He is a former SRO tenant. He is currently at a shelter.

- He needs a place that is not dingy, dark, with an elevator that does not work, etc.

- Most SRO tenants do not want to stay there all their lives.

- This project will provide these people with a place to live in units that have their own bathrooms.

(+) James Collins

- He was a former tenant of a residence hotel.

- For he and his neighbors to have their own bathroom and kitchenette was a great thing.

- People need to have their own apartments.

(+) Joe Shipman

- He has gotten used to living in SROs.

- He would rather pay a parking ticket than see a homeless person.

- He does not see a parking issue in the area.

- He feels sad for the people that might not get lighting.

- People need housing and he would not mind getting into his own apartment.

(+) Stafford Parker

- He was born and raised in San Francisco.

- He is a single father and would love to live in his own apartment and use his own private bathroom.

- He has been to the project site and there are a lot of amenities in the area.

- He hopes that the Commission will approve this project.

(+) Joseph Brown

- He lives in a studio in a hotel.

- He is working right now and trying to stay in the working field.

- Although he has low income he would be able to afford the proposed apartments.

(+) Aurora Grajeda

- She is a resident of the Mission Hotel.

- There are few people at SROs that own cars.

- She has never known what it means to have your own kitchen and bathroom.

- If there is a chance to build a little bit of housing it should be done.

(+) Meredith Walters – Central City SRO Collaborative

- All she hears about is how much people living in SROs want to move into their own apartments.

- It means a lot to have a bathroom and a kitchen.

(+) Otto Duffy

- He lives in a residential hotel.
- The people who will be able to have their own apartments are people that have navigated through difficult situations.

(+) Prince Bush – Tenderloin Housing Clinic

- He does not go through garbage cans.
- He does not own a car either.
- He does not know where all these stereotypes are coming from.
- He knows that there are not enough affordable housing units so it is important to approve this project.

(-) Patrick Page

- He lives on Brannan Street.
- He is not anti the project.
- There are people that did not know about this project.
- The size and scope of the building is too large.
- He is not clear why a penthouse would be built on an SRO building.

(+) Bruce Allison

- He is a sixth generation San Franciscan.
- There are a lot of amenities in this area; there is public transportation, medical facilities, etc.
- He hopes that he will be a resident of these apartments.

(+) Loren (did not state last name)

- SROs are a difficult environment for women.
- She currently lives in a small room with a cracked sink and it is roach infested.
- It is not considered safe for women to keep her door unlocked or walk a hallway at night.
- Many people are attached at SROs.
- The rents at the hotels average about \$800 a month.
- Many people are paying more than half of their income.
- She hopes that this project will be approved.

(+) Jim Meko – SOMA Leadership Council

- He has spent considerable time at this location.
- He has spoken to the adjacent neighbors and after much dialogue had full support from them.
- The problem with parking is caused by the Hall of Justice.
- A lot of the garbage issues are just excuses to not have low-income people living in the area.

(+) Joe O'Donoghue

- He lives on McAllister and knows of garbage noise from the garbage trucks and people getting cans and bottles out in order to sell them.
- The people that move into this transitional housing will probably not own cars until they move out to better and bigger things and be able to afford their cars.
- There are lot-line windows that are illegal on the adjacent building.

(-) David Lupo

- He wants housing that is going to last.
- The contractor should be unionized that will pay their workers correctly with quality materials.

(-) Bob Anderson

- He is a former homeless person and SRO tenant.
- He is very disappointed with the entire proceedings.
- Parking is a huge issue in the area.
- Density and height of the building are issues also.

(+) Mark Anthony

- He is thankful for Mayor Newsom and his policy of care and not cash.
- He sees this project as a next step to his recovery.
- He feels very lucky that the hotel he lives in has a new manager who was able to clean up the place.
- These studio apartments would be the next phase for a lot of people.

(-) Gerrie Scott

- The good of the building is good for the neighbors.
- People have rights so they should not have to be exposed to garbage and flies.
- This buildings should be well designed that will send Mayor Newsom's program of Care not Cash forward.
- People who use a wheelchair should be able to have access to their building, but it would be difficult to have the garbage cans there.
- New construction downtown advocates should be allowed a bicycle unit, a manager's room, etc.

(-) Scott Crader

- He has seen the lack of supervision in this type of project.
- The project is too large for the footprint.
- He was not notified about this project.
- This project is in a bad location. It is not productive.

(+/-) Rob Moyer

- He is not opposed to the project at all.
- He is just opposed to blocking natural light.
- He is just asking for a modification of the project.

(-) Anusha Chari

- She has been stuck by the fact that people who are in support of the project have done a good job to portray the appellant as a "bad guy."
- Why not have a good design if this project is going to be a blueprint for future similar projects.
- All the testimonies are diverting from getting a properly designed building.

(-) Sue Hestor

- There are people in the room who do not want low-income people in the neighborhood.
- There has to be a decent site for this project, otherwise the project needs to be "tweaked."
- The site was a parking lot and people in the neighborhood were able to park there.
- Artists deserve light into their homes.
- It is important to make this project fit into the site.

(+) Charles Breninger

- Development has become very successful.
- The area is growing.
- This is a good location for this project.

(+) Joe O'Donoghue

- There should be a variance issued.
- There will be 55 units of housing without any money from subsidies.
- This project should be a model for housing because it is very unique housing.
- The project will be built with quality construction materials.

(+) Alice Barkley

- She submitted a letter to the Commission regarding the Conditional Use and the Variance.
- The project will be rental housing.
- The garbage will only come out when it is ready to be picked up, there will be a manager because it is required by law.
- The building code has required that if a building has property line windows, there shall be a light and air easement.

- The project will have a union contractor.

(-) Timothy Rose

- The business owners in the area are not against the project; they are just against the size of the building.
- Many people have moved away from San Francisco in order to find affordable studios.

(+) Randy Shaw

- If there were modifications to the building, the project would not be able to go forward.
- There is no flexibility right now.
- He hopes that the Commission understands this crucial issue.

(-) Barton Deversion

- He does not know how there will be so many units in the building.
- This is the first time that he has heard that the building is being given to the Tenderloin Housing Authority.
- He is concerned with the quality of construction.

ACTION: Negative Declaration Upheld
AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague
ABSENT: Hughes and W. Lee
MOTION: 16940

- 12a. 2004.0560EKCVD (D. SIDER: (415) 558-6697)
787 BRANNAN STREET (aka 785 BRANNAN STREET; aka 100 GILBERT STREET) - southwest corner of Gilbert Street; Lot 018 in Assessor's Block 3784 - **Request for Conditional Use Authorization** to allow the construction of Single Room Occupancy (SRO) units in a Service/Light Industrial (SLI) Zoning District pursuant to Planning Code Section 817.16. The proposal would construct a new five-story building containing fifty-six SRO dwelling units, each of approximately 400 gross square feet, on a vacant parcel currently used for parking. The property is within an Service/Light Industrial (SLI) Zoning District, an Industrial Protection Zone (IPZ) as set forth in Planning Commission Resolution 16202, and a 50-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of January 20, 2005)

SPEAKER(S): Same as those listed for Item 11.
ACTION: Approved
AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague
ABSENT: Hughes and W. Lee
MOTION: 16941

- 12b. 2004.0560EKCVD (D. SIDER: (415) 558-6697)
787 BRANNAN STREET (aka 785 BRANNAN STREET; aka 100 GILBERT STREET) - southwest corner of Gilbert Street; Lot 018 in Assessor's Block 3784 - Request for (1) a Modification of rear yard requirements pursuant to Code Section 134(e)(1) and 307(g), and (2) Variances from [a] permitted obstruction limits for bay windows set forth in Code Section 136(c)(2)(B) and 136(c)(2)(D) and [b] off-street parking requirements set forth in Code Section 151. A **Variance from parking requirements** is required because no off-street parking spaces are proposed while the Code would require three spaces. A **Variance from permitted obstruction limits** is required because bay windows of a maximum depth of three feet and maximum width of sixteen feet are proposed while the Code would limit maximum depth of some bay windows to two feet and maximum width to between nine and fifteen feet. A **Modification of rear yard requirements** is required because intermittent yard spaces of no more than five feet in depth are proposed while the Code would require a rear yard of at least fifteen feet. The proposal would construct a new five-story building containing fifty-six SRO dwelling units, each of approximately 400 gross square feet, on a vacant parcel currently used for parking. The property is within an

Service/Light Industrial (SLI) Zoning District, an Industrial Protection Zone (IPZ) as set forth in Planning Commission Resolution 16202, and a 50-X Height and Bulk District.
(Continued from Regular Meeting of January 20, 2005)

SPEAKER(S): Same as those listed for Item 11.

ACTION: The Zoning Administrator closed the public hearing and granted the variances and modification of the rear yard requirements.

- 12c. 2004.0560EKCVD (D. SIDER: (415) 558-6697)
787 BRANNAN STREET (aka 785 BRANNAN STREET; aka 100 GILBERT STREET) - southwest corner of Gilbert Street; Lot 018 in Assessor's Block 3784 - **Mandatory Discretionary Review** of a project which would create housing within an Industrial Protection Zone (IPZ), as required under Commission Resolution 16202 for all such projects. The proposal would construct a new five-story building containing fifty-six SRO dwelling units, each of approximately 400 gross square feet, on a vacant parcel currently used for parking. The property is within an Service/Light Industrial (SLI) Zoning District, an Industrial Protection Zone (IPZ) as set forth in Planning Commission Resolution 16202, and a 50-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and Approve Project.
(Continued from Regular Meeting of January 20, 2005)

SPEAKER(S): Same as those listed for Item 11.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

13. 2004.1106D (S. SNYDER: (415) 558-6543)
252 HOLYOKE STREET - east side between Felton and Burrows Streets; Lot 6 in Assessor's Block 5976 - **Request for Discretionary Review** of Building Permit Application No. 2003.09.19.5209, proposing vertical and horizontal front and rear additions to the single-family dwelling in an RH-1 (House, One-family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve as proposed.
(Continued from Regular Meeting of January 27, 2005)

SPEAKER(S):

Re: Continuance

Amad Larizadeh

- He agrees with the continuance.

- He feels that they are close to coming to an agreement.

John Major

- He is also in agreement with the continuance.

ACTION: Without hearing, item continued to February 17, 2005

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

- 14a. 2004.0420MR (J. SWITZKY: (415) 575-6815)
SAN FRANCISCO BICYCLE PLAN - **Consideration of adoption of proposed amendments to the General Plan** under the provisions of Sections 340 and 306.3(b)(3) of the Planning Code. The proposed amendments would incorporate the Bicycle Plan in whole by reference into the General Plan and amend sections of the General Plan that

are relevant to bicycling, including the Transportation Element and Downtown Area Plan, according to the goals of the Bicycle Plan. The San Francisco Bicycle Plan is the result of a two-year collaborative planning process involving the Department of Parking and Traffic, the San Francisco County Transportation Authority, the San Francisco Bicycle Coalition and many other agencies and organizations.

Preliminary Recommendation: Approve the Draft Resolution

(Continued from Regular Meeting of January 27, 2005)

SPEAKER(S):

Re: Continuance – Heard during Items Proposed for Continuance category at the beginning of the calendar.

Marilyn Amini

- She believes that this case should be continued further.
- The notice of the hearing was not included in the Independent.
- People who are accustomed to read the announcements of the hearings did not get the full information.
- She discovered that there is money that was set aside for double lanes.
- Steps could have been made to send information to neighborhood organizations.

Re: Continuance – Heard at the call of the item.

Marilyn Amini

- She submitted a request from the San Francisco Coalition of Neighborhoods as well as the West Portal Neighborhood Association. They were not aware that this hearing was going to take place.
- With Planning Code amendments there is a certain period of time that needs to be met for the case to be publicized.
- The bike plan was not put into the public file at the Planning Department until recently.

Lia Shaham – San Francisco Bicycle Coalition

- She does not support a continuance.
- The bike plan has been available since September of last year.
- They have presented this plan to more than 100 neighborhood groups.
- There were 11 neighborhood workshops and 400 people attended the meetings. These meetings were held throughout San Francisco.
- For people who could not attend the meetings there were surveys which were available online or by mail.
- The information submitted was incorporated into the plan.

Mary Miles

- Can she speak to the continuance and to the merits of the project?
- She specifically asked for notice on action of the bicycle plan and before the environmental review. She received nothing. She knew about this when she went to the Planning Department for something else.
- This plan is very important and it will have significant impacts in every neighborhood in the city.
- She supports a continuance.

Burt Hill

- He lives in Twin Peaks and attended the meetings held. He knows people from the West Portal area that attended the meeting as well.
- He does not support a continuance.

Andy Thornley

- They have held meetings at City Hall and discussed this matter publicly.
- There have been meetings held at libraries as well.
- There are no funds to do extensive outreach but to the extent that they were able to, they communicated this issue.

- He does not support a continuance.

Tom Collin

- Although he drives his car more often than his bicycle, he supports the plan.
- There are some neighborhood associations [that claim of] never having been notified about this plan or this hearing yet the accusations are not really fair and/or accurate.
- He is not in support of a continuance.

Rob Anderson

- He never heard of any bicycle coalition meeting in his neighborhood.
- There are a lot of problems with public outreach.
- He does favor a continuance.

John Daniel

- He lives near Bernal Heights.
- Any delay will cause a certain number of injuries if proper bike lanes are not instituted.
- He does not support a continuance.

Re: Merits of the Project

(+) Oliver Gajda – Department of Parking and Traffic

- The program is new to San Francisco.
- This plan began in 1992.
- There has been a lot of public comment on this program.
- The plan has a two-part format: 1) policy framework and 2) network improvements.
- The plan will be in conformity with other plans: San Francisco Master Plan – Transportation Element and the MTC Regional Bicycle Plan.

(+) John Daniel

- He lives in the Mission Bernal Heights Neighborhood.
- It is a matter of life and death to move forward on safety for bikers.
- He owns a car but also tries to get around on a bike.
- He hopes that more people will ride their bikes when these changes are implemented.
- The car population is increasing as much as the human population.
- There were people who were here earlier but could not stay and are in support of this program.

(+) Chet Anderson

- He lives in the Marina.
- He tries most of the time to commute on a bike.
- He rides around the City [on his bike] and gets his friend to also when they visit him in San Francisco.
- He hopes the Commission will move forward on this.

(+) Chuck Bierwirth

- He is in favor of the bicycle plan and should not wait any further.
- The City will be a safer place to live.

(+) Jeff Swinerton

- He has been a bicycle rider most of his life.
- He urges the Commission to approve this program.
- The bike plan has the right way to increase the level of safety needed for bikers.
- The bike plan has provisions for many things.

(-) Mary Miles

- She urges the Commission to not adopt this plan today.
- There are numerous reasons to not approve this plan. For example, there was no environmental review.
- Legally this plan should not be exempt from environmental review.
- CEQA requires an environmental review.
- There will be several impacts on this.

(-) Rob Anderson

- Bicycle riding is dangerous.

- According to the DMV there were thousands of registered car owners. This is a reality.
- He does not own a car. He uses public transportation and walks.
- There will never be enough transportation modes for bikers in San Francisco.
- It is quite obnoxious for a person to come to the Planning Department and have quite a difficult time to get public information.

(+) Tim Colin

- The main part of the objections seems to be procedural.
- There are far more car pedestrian collisions than car bike collisions.
- He strongly urged the Commission to approve this plan.

(+) Leah Shahum

- This is a policy action.
- There are no specific changes in the document.
- This policy is about giving people that want to bike the ability to do it safely.
- He hopes that the Commission will pass this policy.

(+) Maureen Gaffney

- The goal of San Francisco Bay Trails is to add trails to various locations.
- ABAG was very involved in the creation of the bike plan.
- She supports this plan.
- She urges the Commission to adopt this plan.

(+) Andy Thornley

- The notion that this is a radical plan is wrong.
- The Commission has the opportunity to approve a fantastic and wonderful thing.
- This Plan should be part of the General Plan.
- San Francisco has always been looked at as a beacon for changes and improvements in human life.

(+) Bert Hill

- He is 56 years old and has been biking all his life.
- He has been doing this safely.
- There are a vast majority of the people in the hearing room who biked when they were kids and many do not do that anymore.
- This will allow turning San Francisco into a safe and healthy city.
- All of the aspects of this plan are for safety.

(-) Marilyn Amini

- Various speakers spoke about the massive public outreach yet there was still information that was not available to the public until recently.
- The plan conflicts with the transit first policy.
- When there are reduced lanes for cars there will be impeded traffic.
- There will also be congestion with MUNI.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

RESOLUTION: 16942

- 14b. 2004.0420MR (J. SWITZKY: (415) 575-6815)
SAN FRANCISCO BICYCLE PLAN - The Commission will consider a resolution to **adopt General Plan conformity findings** for the San Francisco Bicycle Plan: Policy Framework.
Preliminary Recommendation: Approve the Draft Resolution finding the San Francisco Bicycle Plan: Policy Framework in conformity with the General Plan, as amended.
(Continued from Regular Meeting of January 27, 2005)

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee
 RESOLUTION: 16943

15. 2004.0656C (S. SNYDER: (415) 558-6543)
3579 FOLSOM STREET - southeast corner at Chapman Street, Lot 42 in Assessor's Block 5627 - **Request for Conditional Use** Authorization under Section 121 of the Planning Code for the creation of one lot with a width of less than 25 feet in an RH-1 (House, Single Family) District, and a 40-X Height and Bulk District, and the Bernal Heights Special Use District.
 Preliminary Recommendation: Disapproval
 (Continued from Regular Meeting of January 27, 2005)

SPEAKER(S):

(+) Jeff Rosen – Representing the Project Sponsor

- There have been a lot of permits and reports approved for this location.
- After paying the fees and picking up his permits, the project sponsor was told that the permits were done in error.
- There are similar lots of the same size, which have been livable.
- The lot has just been for neighbors to park their cars.
- There is a more beneficial use for this lot.
- The house will be a small starter home.
- The project sponsor owns the lot.
- There will be no negative impacts to any of the neighbors.
- There is no reasonable reason to disapprove the project.

(+) Stephen Abrams – Abrams Associates Traffic Engineering

- He has done various traffic studies in this area.
- There are no access safety or emergency vehicle access issues.
- A traffic engineer is not necessary to prove that one unit will create traffic issues.
- There are some existing conditions that will not be changed or worsened.
- The same site distance will be available in the future.
- The only reason people are complaining is that people use the lot for parking their cars.
- There is no reserved parking for neighbors in this area.

(-) Wesley Leung

- He owns the house that is next to the lot.
- Traditional traffic analysis might not tell the complete story.
- The street is very steep so any type of construction will have a significant impact.
- If a house were to be built on this lot, it would be very difficult to design it.

(+) K.Y. Chiu – Project Engineer

- The building on the side of the house should not even have a window.
- Both sides of the house will be setback.

(-) Barbara Underberg

- This project seems to keep coming up.
- The streets and the lots in that area are designed quite strange.
- There is a traffic problem in the area.
- There is a plan for improving the roadway.

(-) Gretchen Scoltchy

- She lives right across the street from the lot.
- She does not support the project because of safety situations.
- She has witnessed a number of almost accidents that happened because of the design of the streets.

(-) Jerry Milnne

- This project has been denied many times.
- The project should be beneficial to the neighborhood and it is clearly not.
- This project should be denied.

- The project will exacerbate the density of the neighborhood.
- Chapman Street is barely the width authorized by the fire department.
- Any construction on the lot would have an affect on the residents.
- This permit should be denied.

(-) Patricia Hughes

- She has lived in the area since 1978.
- Of the two buildings that the project sponsor built only one was approved.
- The area is very dense already.
- It is a very small lot.
- The lot is not full of trash.
- The project sponsor put up a very high fence around the vacant lot.

ACTION: Disapproved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

MOTION: 16944

16. 2004.0849C (M. WOODS: (415) 558-6315)
1720-1730 FULTON STREET - north side between Central and Masonic Avenues; Lot 30 in Assessor's Block 1175 - **Request for Conditional Use** authorization under Sections 303 and 352 of the Planning Code to modify a condition previously imposed in Motion No. 14807 for Case No. 1998.0318C (the approval of the Petrini Plaza). The proposal would modify Condition No. 30 of the Motion to allow the project sponsor to merge two small storefronts at the Petrini Plaza for leasing to a financial service establishment (Washington Mutual Bank), rather than to a local independent merchant. The project is within an NC-S (Neighborhood Commercial Shopping Center) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Disapproval
 (Continued from Regular Meeting of January 20, 2005)

SPEAKER(S):

(+) Steve Vettel – Representing Project Sponsor

- There is a long history of approvals and negotiations with this project and the neighborhood.
- All the conditions have been met except for two.
- They have not been able to lease the two business spaces left.
- Their intent is to merge the two spaces and lease it to a bank.
- The businesses in the area are in support of having a branch there because it will benefit their business management.

(+) Tyce Sniffen

- This project has been something that his organization has been looking at for a long time.
- He supports the bank moving in.
- He disagrees with staff's recommendation.

(+) Rhonda Diaz

- They have used various types of marketing means to get tenants into the empty business locations.
- Most banks are looking for larger spaces but Washington Mutual has agreed with the retail space.
- She hopes that the Commission will approve this project.

(+) Edward Daniel – Intern with Washington Mutual Bank

- Locals can use the ATMs without charge.
- There are many benefits to the employees of Washington Mutual.
- There will be small business loans and home loans available at this branch.

(+) Victoria Freedman

- She lives right above the Albertson's store.
- The neighborhood has turned out to be quite a great neighborhood for her.
- Having the bank there would be very convenient for her.
- As a consumer she is very familiar with Washington Mutual and what they do to improve their communities.

(+) David Tornheim

- He lives a block away from the Albertson's store.
- One of the conditions established when the Albertson's store was approved was that they were going to do an all faith effort to bring in smaller retailers in the smaller retail spaces.

(+) Vicky Pung

- She lives in the Petrini place community.
- She has never had any problems there.
- Having a bank there would be very beneficial to the neighbors.
- There are a lot of seniors and people with disabilities that would benefit from the bank.

(+) Bruce Cornig

- He is the property manager.
- He has been able to speak with everyone involved at the Petrini Square.
- Once the stores were finished they were marketed.
- Many people asked him about the retail spaces and he referred them to the realtor but many people were not able to afford the rent.
- Many people have expressed that they have no objections to a bank moving in.
- The space cannot be left vacant for an indefinite amount of time.

(+) Brendan Brannigan

- He wholeheartedly supports the bank moving in.
- The petition is quite misleading.
- A bank is very necessary in the area and it will benefit the community.

(+) Susanne Rice

- She really likes living in the area.
- To have a bank there would be convenient for her and her neighbors.
- She supports the bank moving in.

(+) Oz Erickson

- They have made every effort to get local merchants in the retail spaces.
- The cost for tenant improvements is very expensive.
- They were very pleased that Washington Mutual could use with the retail space.
- Everyone seems to want to have a bank there.

(+) Joseph Andrew Casara

- He is a resident of the neighborhood and also an employee of Washington Mutual.
- For him to do his banking, he would have to travel for a while.
- He has lived at the Petrini Plaza for a long time.
- He spends as much money at Albertson's as he does in a small shop nearby.
- Washington Mutual encourages their employees to participate in volunteer programs.
- The bank will be doing more than just banking.

(-) Larry Roberts

- He has lived in the neighborhood since 1992.
- He is in favor of the current controls and against the waiver.
- There have been a few inaccuracies in some of the testimonies.
- Are the retail spaces above market rate?
- Albertson's does not have an incentive to encourage local businesses.
- It is important to retain the current conditions in order to maintain neighborhood character.

(+) Ron Chester – Washington Mutual Bank

- He is really proud to work at Washington Mutual.

- The bank is a consumer bank and not a commercial bank.
- They really help the community and try to do what is right.
- Customers want to interact with people so they work really hard at customer service.

ACTION: Approved with Amendments: If the space is not used for bank use and is vacant for six months, the commercial space reverts back to two commercial spaces.

AYES: Alexander, Bradford Bell, S. Lee, W. Lee

NAYES: Olague

ABSENT: Hughes and W. Lee

MOTION: 16945

17. 2004.1321C (M. LI: (415) 558-6396)
1327 POLK STREET - southwest corner at Austin Street, Lot 003 in Assessor's Block 0667 - **Request for Conditional Use Authorization** to establish a retail wine store (dba "S.N.O.B.") classified under Article 7 as a "Liquor Store," of approximately 1,000 square feet with a wine tasting room, classified as a "Bar," in an existing commercial space that has been vacant for about six years. There will be no physical expansion of the existing building or commercial space. The site is within the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) William Bigelow - Principal

- Since September of 2004 he has been speaking with Mercy Housing.
- He has also been speaking to various neighbors about this project.
- He has been trying to facilitate a "common ground" that everyone agrees with.

(+) Gary Netherland

- A few years ago he was going to invest in a business in the area but decided not to go through with it.
- The project sponsor wants to bring the area to a more upscale environment.

(+) Clarisse Fourmeaux

- She is a resident of the neighborhood.
- She would love to see the area upscaled because it would be a more convenient place for her to find the products she needs.

(+) Brian Staudenmaier

- He knows Mr. Bigelow.
- Mr. Bigelow's experience in property management would help the business he wants to open.
- The project would benefit the area greatly.

(+) Erick Foster

- He has lived in the neighborhood for about a month.
- The neighborhood is not that great so he would like to see something more upscale.

(-) David Brown

- He is opposed to this project.
- He is concerned about the alcohol that will be served there.
- There are already too many alcohol permits there already.
- He has nothing against the project sponsor but there should be a halt to allowing liquor licenses in a place that is saturated with liquor licenses.

ACTION: Approved with the following modifications: 1) The hours of operation shall be limited to the hours between 6:00 AM and 12:00 AM (midnight). 2) With respect to alcohol, only the sale of beer and wine (Type 42 ABC license) shall be permitted. The sale of hard liquor (Type 48 ABC

license) shall not be permitted. 3) In order for the proposed project to proceed, the Planning Commission must grant conditional use authorization for the establishment of a retail wine store (defined as a liquor store) pursuant to Sections 723.45 and 790.55 of the Planning Code.

AYES: Alexander, Antonini, S. Lee, Olague
 NAYES: Bradford Bell
 ABSENT: Hughes and W. Lee
 MOTION: 16946

18. 2001.0772C (B. FU: (415) 558-6613)
3318 MISSION STREET - west side, between 29th and 30th Streets, Lot 003 in Assessor's Block 6635 - **Request for Conditional Use** Authorization under Planning Code Sections 712.38 and 790.84, to allow a residential conversion of the existing dwelling unit on the second level of a two-story building into a banquet hall and to relocate the existing unit to a new proposed third level in a NC-3 (Moderate-Scale Neighborhood Commercial) District with a 40-X Height and Bulk designation.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of January 27, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued to March 3, 2005.
 AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague
 ABSENT: Hughes and W. Lee

19. 2004.0305C (D. JONES: (415) 558-6477)
1111 JUNIPERO SERRA BOULEVARD - southeast corner of the intersection Shields Street and Junipero Serra Boulevard, Lot 024 in Assessor's Block 7080 - **Request for Conditional Use** Authorization to allow the installation of six (6) panel antennas concealed into the base of the existing church steeple (Temple Methodist Church), and install three outdoor equipment cabinets located on the south side of the church as part of a wireless telecommunication network, pursuant to Planning Code section 209.6(b), in an RH-1 (Residential, Single-Family) District and a 40-X Height and Bulk District. As per the City & County of San Francisco's Wireless Transmission Services (WTS) Facilities Siting Guidelines the proposal is a Location Preference 2 (Co-Location Site).
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of January 27, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued to April 14, 2005
 AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague
 ABSENT: Hughes and W. Lee

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 9:31 – In Memory of Stan Warren

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 7, 2005.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, S. Lee, Olague

EXCUSED: Hughes and W. Lee

ABSENT: Alexander

SAN FRANCISCO PLANNING COMMISSION SPECIAL MEETING

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, February 10, 2005

1:00 PM

Regular Meeting

DOCUMENTS DEPT.

APR 20 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Dwight S. Alexander, Shelley Bradford Bell,
Kevin Hughes, Sue Lee, William L. Lee, Christina Olague
COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:15 p.m.

EXECUTIVE SESSION

- 105
a1
- a. PLANNING DIRECTOR SEARCH - The Planning Commission will meet in closed session pursuant to San Francisco Administrative Code Section 67.10(b) and Government Code Section 54957(b)(1) to review resumes of candidates for the position of Director of Planning, discuss setting up interview schedules, and discuss the schedule for nominating and forwarding to the Mayor a list of candidates for appointment to the position of Director.

SPEAKER(S): None

ACTION: During the public hearing that followed this Executive Session, the Commission voted not to disclose information

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

Adjournment: 1:55 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 14, 2005.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, February 10, 2005

2:00 PM

Regular Meeting

DOCUMENTS DEPT.

APR 20 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Dwight Alexander; Michael J. Antonini, Shelley Bradford Bell,
Kevin Hughes, Sue Lee; William L. Lee, Christina Olague

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 2:10 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning
Administrator; Amit Ghosh; Neil Hart; Steve Gordon; Alicia John-Baptiste; Geoffrey Nelson; Elaine Tope;
Ann Marie Rogers; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1a. 2001.0249E KCV

(K. AMDUR: (415) 558-6351)

605 KEARNY STREET - west side between Sacramento and Commercial Streets, Lot 007 in Assessor's Block 0226 - **Determination of Compliance under the California Environmental Quality Act**, as described in the Final Mitigated Negative Declaration for the addition of one four-story residential unit to an existing 2-story commercial building. Conditional Use authorization is required for the construction of a building greater than 35 feet tall in this zoning district. Both parking and a rear yard/site coverage variances would be required and will be considered concurrently by the Zoning Administrator. Required open space would be provided on a rooftop terrace. The site is in the Chinatown Community Business (CCB) Zoning District and a 50-N Height and Bulk District.

Preliminary Recommendation: Adopt the CEQA Findings
(Continued from Regular Meeting of November 18, 2004)

NOTE: On December 9, 2004, following public testimony, the Commission continued the matter to February 10, 2005 by a vote of +6 -0. Commissioner William Lee was absent.

(Proposed for Continuance to February 24, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 24, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 1b. 2001.0249EKCV (K. AMDUR: (415) 558-6351)
605 KEARNY STREET - west side between Sacramento and Commercial Streets, Lot 007 in Assessor's Block 0226 - **Request for a Conditional Use** authorization for a building exceeding 35 feet in height. The proposal is to add one four-story dwelling unit to an existing one-story commercial building on a small, approximately 700 square foot, 29.5-foot deep lot. The commercial unit on the ground floor would remain. The building would be 50 feet in height with the proposed addition. The addition, like the existing commercial building, would cover the entire small site. No parking would be provided. Both parking and a rear yard/site coverage variances would be required and will be considered concurrently by the Zoning Administrator. Required open space would be provided on a rooftop terrace. The site is in the Chinatown Community Business (CCB) Zoning District and a 50-N Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of November 18, 2004)
NOTE: On December 9, 2004, following public testimony, the Commission continued the matter to February 10, 2005 by a vote of +6 -0. Commissioner William Lee was absent.
(Proposed for Continuance to February 24, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 24, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 1c. 2001.0249EKCV (K. AMDUR: (415) 558-6351)
605 KEARNY STREET - west side between Sacramento and Commercial Streets, Lot 7 in Assessor's Block 226 - **Request for a Variances** for rear yard/site coverage and parking for a building. The proposal is to add one four-story dwelling unit to an existing one-story commercial building on a small, approximately 700 square foot, 29.5-foot deep lot. The commercial unit on the ground floor would remain. The addition, like the existing commercial building, would entirely cover the small lot, where 75% maximum site coverage is permitted as of right. No parking is proposed, where one new space is required. The site is in the Chinatown Community Business (CCB) Zoning District and a 50-N Height and Bulk District.
(Continued from Regular Meeting of November 18, 2004)
NOTE: On December 9, 2004, following public testimony, the Zoning Administrator continued the matter to February 10, 2005.
(Proposed for Continuance to February 24, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to February 24, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

2. 2004.1190D (D. SIROIS: (415) 558-6313)
1523 21ST AVENUE - west side, Kirkham & Lawton & Church, Lot 003, Assessor's Block 1867 - **Request for Discretionary Review** of Building Permit Application 2004.04.19.1671, to construct a two-story horizontal addition to the rear of the existing single-family dwelling located in an RH-1 (Residential, Single-Family) District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve project with modifications.

(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 3, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

3. 2004.0876C (G. NELSON: (415) 558-6257)
2000 VAN NESS AVENUE - northeast corner at the intersection of Van Ness Avenue and Jackson Street; Lot 005 in Assessor's Block 0595 - **Request for Conditional Use** authorization pursuant to Section 209.6(b) of the Planning Code to install a total of six (6) antennas and related equipment cabinets on the roof of an existing 100-foot tall commercial structure, known as the Medical Arts Building, as part of AT&T's wireless telecommunications network within an RC-4 (Residential-Commercial Combined) District, the Van Ness Special Use District and an 80-D Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a wholly commercial structure.

Preliminary Recommendation: Pending

(Proposed for Continuance to March 10, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 10, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

4. 2005.0007D (G. CABREROS: (415) 558-6169)
2506 UNION STREET - north side between Scott and Divisadero Streets, Lot 005 in Assessor's Block 0945 - **Request for Discretionary Review** of Building Permit Application 2004.07.15.8925 proposing to construct a three-story horizontal addition at the rear of the existing single-family residence in an RH-1 (Residential House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to March 17, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 17, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption:
• Draft Minutes of Regular Meeting of December 9, 2004

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- Draft Minutes of Planning Director Subcommittee for December 16, 2004

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, S. Lee

EXCUSED: Bradford Bell

- Draft Minutes of Regular Meeting of December 16, 2004

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
EXCUSED: Alexander and Bradford Bell

- Draft Minutes of Special Meeting of January 6, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- Draft Minutes of Regular Meeting of January 6, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

6. Commission Comments/Questions

EXECUTIVE SESSION

PLANNING DIRECTOR SEARCH - The Planning Commission will meet in closed session pursuant to San Francisco Administrative Code Section 67.10(b) and Government Code Section 54957(b)(1) to review resumes of candidates for the position of Director of Planning, discuss setting up interview schedules, and discuss the schedule for nominating and forwarding to the Mayor a list of candidates for appointment to the position of Director.

ACTION: The Commission voted +7 -0 not to disclose information from the Executive Session

Other Commission Matters:

Commissioner Antonini:

Re: Thank You

- He thanked Interim Director Macris for providing the Commission with the 2001/2003 Housing Inventory Summary Report that contains the good news that housing has increased.

Re: Calendar

- The last few weeks, the calendar has been light.
- It would be good for Commissioners to know what the process is of projects getting on calendar. With this information the Commissioners can help to move things along.

Commissioner W. Lee:

Re: 2000 Census

- He is under the understanding that the Planning Department is not using the 2000 census. Is the Commission required to adopt the 2000 Census?

City Attorney Judy Boyajian responded:

- She does not know the answer to that but will be investigating and will provide this information to the Commission.

Re: Mayor's Office of Community Development

- The Mayor is looking for a neighborhood vitality index. Are there issues on this?

Interim Director Macris responded:

- He will find out more from them and what they expect from the department. He will report back later.

Commissioner Hughes:

Re: Housing Inventory

- He thanked staff for providing this inventory.

Re: Soundness Report Requirements

- Is this on the calendar sometime in the near future?

Zoning Administrator responded:

- This is scheduled for February 24, 2005.

Commissioner William Lee:

- Is the Planning Department required by charter to produce an annual report?
- He does not recall that there has ever been an annual report.

Zoning Administrator responded:

- He believes that there was one issued in 2003.
- He will look into this to see if there was one in 2004 or if there will be one in 2005.

C. DIRECTOR'S REPORT

7. Director's Announcements

Interim Director reported:

Re: Chinatown Economic Development Group

- He called a meeting regarding some funds that were allocated to them.
- He will take some steps with the controller's office to discuss this.
- There are steps to be taken to resolve the issue of the money to be transferred to the City.

Zoning Administrator Reported:

Re: Putting Zoning Administrator Determination Letters on the Planning Department Website

- He will start putting these letters on the web.
- He issues about 15 to 20 letters a week.
- Within two to three weeks they will be appearing on the Planning Department website.

Commissioner William Lee:

Re: 724 Van Ness Avenue

- Can staff comment on the status of this project?

Zoning Administrator Reported:

- The project was presented at the Commission to be marketed to the students of the Culinary Academy and Civil Service. The commission did not place any conditions on the project.
- He issued a letter stating that he did not tie the project to a specific income rate.
- He did consult with the City Attorney.

Commissioner Antonini:

Re: 724 Van Ness Avenue

- The determination has been rendered and there is an appeal.
- When will this be decided and the project move forward?

Zoning Administrator responded:

- He feels it will happen within two months.

**8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None****BOA – None**

- Last week there was a request to rehear the Avalon Ballroom on Sutter Street.
- The Board overturned him.
- He just received new information that in his estimation does not meet the Board of Appeals standards.
- He is the only one that can request a rehearing [at the Board], and he'll be doing so.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Charles Marsteller

Re: 724 Van Ness

- He thanked the Zoning Administrator and the Commission for the review of 724 Van Ness.
- He does not want to kill a project but it is important to make sure that the developers are clear that they need to adhere to the requirements of the law.
- The hearing is scheduled for March 30, 2005.

Jeremy Paul

Re: 1244-1268 Sutter Street

- There is no considerable public opposition of the conversion of the space.
- There are many letters of support.
- The proposal is to change the use from a ballroom use to an arts use.
- There will be no office use here.

David Lupo

Re: 787 Brannan Street Project

- He apologized for his comments last week.
- Cassidy Construction and John McInerney Construction have been caught on a job on Webster Street where they failed to pay prevailing wages on a Redevelopment project. They are currently settling this.
- The Board of Supervisors thought that it would be worthwhile to add that the project sponsor will assure completion of the offsite affordable housing and have insurance on construction defects. This was placed there because he had submitted proof that the contractor had previously worked with faulty construction [material].

Re: Avalon Ballroom

Carol Anton

- She is a creative designer.
 - She loves working in San Francisco and loves the Avalon Ballroom building.
 - She urges the Commission to let them work in a wonderful building like that.
- name unclear**
- She has an arts degree.

- She is happy to have a job where she can be creative.
- She currently works in a basement that has limited light and is looking forward to moving up to the Avalon Ballroom.

Michelle Schmitz

- She presented her artwork.
- She hopes the Commission will approve so she can move to the Avalon Ballroom to work on her artwork.

name unclear

- She does embroidery design.
- She has limited space, light and oxygen.
- She hopes that the Commission will approve their moving to that space.

Stephanie Hemo

- She is a freestyle textile designer for American Pacific.
- She mixes a lot of colors and looks forward to work under natural light.

Marisa Jacoby

- She is a freelance designer.
- She also works for American Pacific.
- It is very difficult to work in a place that has limited lighting.
- She hopes the Commission will consider them and their move to the Avalon.

Kelly Jung

- She is a designer.
- She came from Korea as a painter.
- She has been able to stay and work in San Francisco as a designer.
- She hopes to move up to a space that is very environmentally friendly for designers.

Steven Tai

- He works for American Pacific as a painter.
- The place where he works now is not good because there is limited light and oxygen.
- He hopes the Commission will allow them to work in the ballroom instead of working in a basement.

E. REGULAR CALENDAR

(D. MACRIS: (415 558-6411))

9. PLANNING DEPARTMENT'S PROPOSED WORK PROGRAM AND BUDGET FOR FY 2005-2006 – Consideration of approval of a draft resolution adopting the Planning Department's Proposed Work Program and Budget for Fiscal Year 2005-2006.

SPEAKER(S):**Kate White – Housing Action Coalition**

- They strongly support the priorities of the Work Plan and Budget.
- She thanked staff for their good work.
- There are questions regarding this.
- There needs to be more accountability for the work that has not been completed.
- Too many of the work plan items are not completed.
- She hopes that the new CAO will help with this accountability.
- She would like to see a new Better Neighborhoods Plan.
- She would like to have the opportunity to sit down with staff and discuss the issues they have.

Nilka Julio – Local 21

- She feels that there is something missing with this budget.
- The parallel process that is currently being undertaken by the Mayor's Office and their office regarding the UCP (Union City Partnership).
- The objective of the UCP is "to identify best practice methods and processes to enhance the effectiveness and efficiency of work groups and work processes and to reduce costs and improve services"

ACTION: No Action Required by the Commission. Discussion will continue on February 24, 2005.

10.

(G. NELSON (415) 558-6257)

UC BERKELEY EXTENSION REUSE POLICY GUIDE: INFORMATIONAL PRESENTATION - Informational presentation to review the recently released Planning Department document: "A Policy Guide to Considering Reuse of the UC Berkeley Extension Laguna Street Campus," and a brief overview of the *Guide's* place in the Better Neighborhoods Market and Octavia Neighborhood Plan process. Staff will brief the Commission on the contents of the *Guide* and issues surrounding the possible redevelopment of this six-acre parcel bounded by Hermann, Buchanan, Laguna and Haight Streets.

Preliminary Recommendation: No Action

SPEAKER(S):

(+) Patricia Walkup

- She has lived directly across from this site since 1992.
- She is very please to see that things are going to be changing.
- She is pleased that the Market/Octavia area is being developed.
- Everything that is contained in the reports presented is very good.
- Since she has lived there, the streets in this area have been very busy.
- She hopes that Laguna will remain a busy street.
- If there are about 500 housing units, it is important to be careful to not provide a lot of parking. Since the parking will just increase the congestion.
- She would like to see more retail.

(+) Jason Henderson

- He moved to this neighborhood because of the spirit of the Better Neighborhoods Plan.
- This is an excellent plan.
- As the Commission considers this, public transportation should not be left out.
- Something that wasn't included in the plan is the bike network.
- The neighbors around this site are supportive of infill housing and density.
- City Carshare should be included also.

(+) Robin Levitt

- He lives in Hayes Valley.
- It is important to put some guidelines in place.
- This site should be developed consistent with the Better Neighborhoods Plan.
- He thanked staff for putting this together.
- He agrees with the previous speakers.
- It would be good to develop this area that is pedestrian oriented, with retail that is consistent with the neighborhood, etc.
- He urged staff to be more "heavy handed" with the parking requirements.

(+) Paul Olson

- He lives near the UC Extension site.
- He is pleased with the work that staff has done.
- He supports the policy presented today.
- A lot of the things being considered today are very important.
- He urged pro-active zoning to provide the ability to have the best use of the site.

(+) Kate White – Housing Action Coalition

- They are very thrilled and excited about the plans for this location.
- They would like to see the policy guidelines very involved with the evolution and development design of this site.
- The Commission and the public have a unique opportunity to have everyone agree with less parking.

- They will be working with their members to take advantage of the City Carshare, Bike Network, etc.

(+) Roger Brandon

- There are not too many parks or community centers in the area.
 - It would be a shame to use this site just for housing. Although it is good to have housing, but having a balance would be better.

(+) Tess Welburn

- She lives in the Hayes Valley area.
 - She is grateful of this plan.
 - This document helps the neighbors to start thinking of what else they might want in the area.
 - It is important to have everyone involved.
 - More public use, open space and public housing are important concerns.

(-) Mary Miles

- The document neglected to add the designated purpose of a public plan.
 - There is a "universe" of opportunity of what can be constructed in the area.
 - There is no place to park in various areas and most people in San Francisco own cars and drive them.
 - The document misrepresents all the CEQA requirements for a project of this magnitude.

(+) Jack Robertson

- On behalf of Mercy Housing, he thanked staff for working with them to come up with a plan that is world class.
 - They are familiar with the development process and the sensitivity of it.
 - They look forward to coming back to the Commission with a specific plan that the Commission can approve.

(+) Azalia Merrill

- She has a concern about the people that work in this neighborhood; that they have the first opportunity for jobs.
 - There are a number of people who are out of work.
 - The parking issue is a problem because many people do own cars.
 - Traffic is also a concern, especially for pedestrians.
 - Has the possibility of unbundling parking been offered to the residents?
 - It is not possible to force people not to own cars.

ACTION: Informational presentation only. No action required.

11. 2004.1008D (W. HASTIE: (415) 558-6381)
91 BENNINGTON STREET - north side between Cortland and Eugenia Avenues, Lot 18 in Assessor's Block 5666 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all dwelling unit mergers, of Permit Application No. 2004.0602.5366; the proposal is to expand the existing ground floor retail business (Red Hill Books) which will significantly reduce the square footage of the dwelling unit located behind the retail space and result in the de facto removal of that unit and substitution for a smaller unit. The subject property is zoned NC-2 (Small-Scale Neighborhood Commercial) District and is in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.
 (Continued from Regular Meeting of February 3, 2005)

SPEAKER(S):

(+) Mark Lenzen – Project Architect

- He is available for questions.

(+) Miranda Culpit – Manager of Red Hill Books

- She has 300 signatures and various letters in support of the expansion.

(+) Terry Milmne

- One of the things that make the neighborhood civilized is the bookstore.
- Because the building is not radically changing, it is only improving the site.

ACTION: Did not take Discretionary Review and approved the project

AYES: Alexander, Bradford Bell, S. Lee, W. Lee

ABSENT: Antonini, Hughes and Olague

12. 2004.1246D (E. TOPE: (415) 558-6316)
2716-2718 PINE STREET - north side between Divisadero and Broderick Streets; Lot 012 in Assessor's Block 1028 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2004.10.05.5956S, proposing to merge three dwelling units to two dwelling units in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the application.

SPEAKER(S):**(+) Susan Mokeada**

- She has been working with the Project Sponsor for two years.
- She did a walk through of the entire property and there was one kitchen.
- The project sponsor purchased the property as a two unit building.
- She hopes that the Commission will approve this project to correct the records.

(+) Patrick Kuhner

- He purchased the property a few years ago.
- When the property was sold to them it was two units.
- The tax records indicate that there were two units.
- He and his family purchased this property as a first home.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Antonini, Bradford Bell, S. Lee, W. Lee

NAYES: Alexander, Hughes and Olague

13. 2004.1091C (S. YOUNG: (415) 558-6346)
1639 IRVING STREET - south side between 17th and 18th Avenues; Lot 010 in Assessor's Block 1772 - **Request for Conditional Use** authorization under Section 730.42 of the Planning Code to convert approximately 1000 square feet of vacant commercial retail space located at the ground floor of an existing three-story commercial building, to a full-service restaurant (primarily serving Asian inspired snacks and desserts) in the Inner Sunset Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. The project will involve tenant improvements that include a small dining area with a capacity of serving approximately 25 customers, preparation area, and service counter. No exterior modifications will be made to the existing building envelope.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):**(+) Sean Te**

- He is the owner of the restaurant.
- This is a very good location for the restaurant.
- He lives one block away.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 16947

14.

(L. AVERY: (415) 558-6407)

PLANNING COMMISSION RULES AND REGULATIONS - The Planning Commission will hold a public hearing to discuss and possibly amend their rules and regulations.

SPEAKER(S):

(Commission Secretary Avery read into the record the following letter from Ms. Sue Hestor pointing out that on the last page the proposed for adoption states 021004 should be 021005:)

David Pilpel

- He will be happy to look over the section of the Commission Rules with regard to Discretionary Reviews and Conditional Uses.
- It is a good idea to put in the Rules that the burden to get a Conditional Use requires four votes of Commission; and the burden falls on the DR requestor to get four votes to take DR by the Commission.

Sue Hestor

- This voting section needs to be revised and in writing before the Commission votes on it because it has a real impact.
- The rehearing policy has evolved with the times so it is important that the Commission discusses it and makes determinations.
- These issues need to be "flagged" for the public because they are very important.
- She would like to have a rule on when documents are released to the public.

ACTION: Adopted proposed changes with the exception of Article IV, Section 6.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Sue Hestor

Re: Conditions Discussion on James Lee

- Foundation issues keep coming up with this engineer.
- She submitted a letter on this matter.
- There should be an evaluation of plans while at the Department of Building Inspection.

Re: 724 Van Ness

- All Mr. Sanger has to do is withdraw the appeal and the project goes forward.
- There is no truth that there will be another hearing on this.

David Pilpel

Re: Broadcasting Meeting

- He hopes this Commission will be broadcast on television again.

Re: Ethics Commission

- The Commission finally adopted the Permit Processing Code of Conduct at their last meeting.
- He would like to have the status of this.

Zoning Administrator responded:

- Internal guidelines were done last year and were forwarded to the Ethics Commission.
- He knows that there is a later law that came from the Permit Expediting Act.
- He would like to speak to Mr. Pilpel after the meeting on this issue.

Adjournment: 6:25 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 14, 2005.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

SAN FRANCISCO PLANNING COMMISSION SPECIAL MEETING

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, February 17, 2005

1:00 PM

DOCUMENTS DEPT

APR 12 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Dwight S. Alexander, Shelley Bradford Bell,
Kevin Hughes, Sue Lee, William L. Lee
COMMISSIONERS ABSENT: Olague

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:15 p.m.

EXECUTIVE SESSION

PLANNING DIRECTOR SEARCH - The Planning Commission will meet in closed session pursuant to San Francisco Administrative Code Section 67.10(b) and Government Code Section 54957(b)(1) to review resumes of candidates for the position of Director of Planning.

At the conclusion of the closed session, and pursuant to Section 67.10(b) of the San Francisco Administrative Code, the Commission will reconvene in open session and shall by motion and vote elect to:

- a) Disclose no information, or
- b) Disclose information, which a majority deems to be in the public interest.

SPEAKER(S): None

ACTION: During their Regular Public Meeting today, the Commission voted to not disclose information.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

EXCUSED: Olague was absent from the Executive Session and excused from voting.

Adjournment: 1:55 P.M.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 7, 2005.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

EXCUSED: Olague

ABSENT: Alexander

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, February 17, 2005

2:00 PM

Regular Meeting

DOCUMENTS DEPT.

APR 12 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Dwight Alexander; Michael J. Antonini, Shelley Bradford Bell,
Kevin Hughes, Sue Lee; William L. Lee, Christina Olague
COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 2:20 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Rick Crawford; Mary Woods; Dan Sider; Moses Corrette; Susan Snyder; Matthew Snyder; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.0458E

(J. NAVARRETE: (415) 558-5975)

566 SOUTH VAN NESS AVENUE - Appeal of Preliminary Negative Declaration - The proposed project would include demolition of an existing 4,344 gross-square-foot, one-story retail/commercial building and rear storage building and construction of a five-story, 50-foot-tall mixed-use building which would contain 32 residential units on the second through fifth floors and retail/commercial use on the ground floor. The residential use would be 27,491 gross square feet (gsf) in area, and the retail/commercial space would be 4,344 gsf in size. The ground floor and basement levels would include 32 parking spaces designated for the residential use with ingress and egress from South Van Ness Avenue. The ground floor would contain the commercial space and residential lobby. The 12,253-square-foot site is located within the C-M (Heavy Commercial) zoning district and within a 50-X height and bulk district. The proposed project requires a conditional use authorization for residential use in the C-M district.

Preliminary Recommendation: Uphold Mitigated Negative Declaration

(Continued from Regular Meeting of January 20, 2005)

(Proposed for Continuance to February 24, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to February 24, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 2a. 2004.0458C (M. SNYDER: (415) 575-6891)
566 SOUTH VAN NESS AVENUE - west side between 16th Street and 17th Street, Block 3570 in Assessor's Lot 005 - **Request for Conditional Use** authorization to allow 32 dwelling units in a C-M District, under Planning Code Sections 215. The subject property is within an C-M (Heavy Commercial) District, a 50-X Height and Bulk District, and a PDR/ Housing Overlay Zone as designated in the Eastern Neighborhoods Interim Policies (Planning Commission Resolution 16727).
Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to February 24, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to February 24, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 2b. 2004.0458V (M. SNYDER: (415) 575-6891)
566 SOUTH VAN NESS AVENUE - west side between 16th Street and 17th Street, Block 3570 in Assessor's Lot 005 - **Request for an Exposure Variance** to allow eight of the proposed 32 dwelling units to face (or have exposure to) an open space that does not meet the specification requirements of Planning Code Section 140. The subject property is within an C-M (Heavy Commercial) District, a 50-X Height and Bulk District, and a PDR/ Housing Overlay Zone as designated in the Eastern Neighborhoods Interim Policies (Planning Commission Resolution 16727).
(Proposed for Continuance to February 24, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to February 24, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 3a. 2004.0364D (D. SIROIS: (415) 558-6313)
451 FAXON AVENUE - west side between De Montfort & Holloway Streets, Lot 009, Assessor's Block 6939 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2003.11.24.0975, to demolish an existing single-family dwelling in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit.
(Continued from Regular Meeting of January 6, 2005)
(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to March 3, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 3b. 2004.0651D (D. SIROIS: (415) 558-6313)
451 FAXON AVENUE - west side between De Montfort & Holloway Streets, Lot 009, Assessor's Block 6939 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new residential buildings in association with residential demolition, of Building Permit Application No. 2003.11.24.0979, proposing to construct a three-story, single-family residential building with two off-street parking

spaces in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the New Construction Permit.

(Continued from Regular Meeting of January 6, 2005)

(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 3, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption:

- Draft Minutes of Regular Meeting of June 24, 2004
SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
- Draft Minutes of Regular Meeting of September 23, 2004
SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
- Draft Minutes of Regular Meeting of November 4, 2004
SPEAKER(S): None
ACTION: Approved
AYES: Bradford Bell, Hughes, S. Lee, W. Lee, Olague
EXCUSED: Alexander and Antonini
- Draft Minutes of Planning Director Search Subcommittee for November 4, 2004
SPEAKER(S): None
ACTION: Approved
AYES: Bradford Bell and S. Lee
EXCUSED: Antonini
- Draft Minutes of Regular Meeting of November 18, 2004
SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague
EXCUSED: W. Lee
- Draft Minutes of Special Meeting of November 29, 2004
SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

5. Commission Comments/Questions

Commissioner Antonini:

Re: Ordinance from Board of Supervisors

- There was an ordinance passed which requires self-breathing replenishment systems in high rise buildings for permits issued after March 30, 2004.
- There seems to be some question about when this ordinance will be implemented.
- He will contact DBI to get more information because this could be applied to the Rincon Hill projects.

Re: Letter from Ms. Azalia Merrill

- She did an extensive search for below market rate units.
- How are below market rate units being noticed?

- How are people chosen to qualify for these units?
- How does one verify the income level of the people that are chosen?

Re: 399/375 Fremont Street

- His feeling is that the Commission expressed an interest that an Environmental Impact Report reflects the possibility that if a one tower option is analyzed that the impact could be analyzed up to a height of 450 feet.

Commissioner Olague:

Re: 724 Van Ness Avenue

- She call for a public hearing on this project.

Commission Secretary responded:

- Any Commissioner can make a request, but if the request does not come from the Commission President, then she needs to have a consensus of the other Commissioners on the matter.

Commissioner Hughes:

Re: 724 Van Ness Avenue

- He supports a review of this project just to have a clear understanding as to jurisdiction and discretion of the Zoning Administrator.

Re: Stan Warren

- He requested that the meeting be adjourned in memory of Stan Warren.
- He was the recording secretary for the San Francisco Building Trades Council.

Re: APA Convention

- Are any of the Commissioners scheduled to attend?

Interim Director Macris responded:

- He is trying to work out a plan on the Commissioners attending the conference.
- He will be reporting on this in the near future.

Commissioner Antonini:

Re: 724 Van Ness Avenue

- He feels that this has been discussed on a number of occasions and is satisfied with the determination.
- Is there something that can be reversed at this time and if it can, would it be proper to do it?
- He does not mind hearing the project or discussing it.

City Attorney Stacy responded:

- The Commission does not have any jurisdiction over the permit.
- The Zoning Administrator's determinations are before the Board of Appeals.

Commissioner Bradford Bell:

Re: 724 Van Ness Avenue

- She does not feel that this should be brought back before the Commission.

Commissioner W. Lee:

Re: 724 Van Ness Avenue

- He is in agreement to bring this case back before the Commission.
- He would like to have the project sponsor come and explain things to them because there is enough public concern about this project.

Commissioner Hughes:

Re: Rincon Hill Plan

- He knows that the purpose of this motion was to essentially "carve" out two projects that were in the pipeline and to set time aside when it could be reviewed.

Commissioner Bradford Bell:

Re: Broadcast

- She is glad that the Commission will be on TV again.

Interim Director Macris responded:

- It is true that the Commission will be broadcasted again.

Commission Alexander:

Re: 724 Van Ness

- Since the Commission does not have any jurisdiction over this project, he does not agree that it should come back before the Commission.

Commissioner Sue Lee:

Re: Interface with the Planning Commission and the Zoning Administrator's Role

- She would like to have this issue scheduled on a future Planning Commission calendar so the Commission can get a clear understanding of the Zoning Administrator's role--perhaps late March.

C. DIRECTOR'S REPORT

6. Director's Announcements

Interim Director Macris Reported:

Re: Audit Committee

- He attended the Audit Committee on Monday to discuss the Chinatown Economic Development Group. There is still \$58,000 to be accounted for. He is working toward a resolution of this.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

Zoning Administrator reported:

BOS –

RE: Appeal of 616 Divisadero (Harding Theatre)

- This item was continued to March 16 because there was an Appeal of the Negative Declaration, which did not allow the Conditional Use appeal to be heard. The item was continued to March.

BOA –

Re: 4001 Mission Street

- The Board approved this project per the project sponsor's submittals--which was what the Commission had approved.

Re: 567 Sanchez Street

- This case has been around for several years.

- The adjacent neighbor settled the case so the Commission could "bless" the agreement with the neighbors.

- When the permit came through there were some changes, which were actually quite significant.

- The Board did not overturn the permit.

Re: Letter of Determination

- These have started to be posted on the Department's website.

Commissioner Antonini:

Re: 567 Sanchez Street

- If a complaint is brought, could it be brought to him [the Zoning Administrator] for a ruling or go to the Board of Appeals?

Zoning Administrator Badiner Responded:

- When a Commission approves a project and there is still further work to be done, staff reviews these plans and go to him only if the plans are completely different from what was approved by the Commission. He then issues a letter of determination, which could be appealed at the Board of Appeals.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Azalia Merrill

Re: Affordable Housing Buildings

- The buildings that were presented to the Commission previously relate to affordable housing units.
- There are a number of buildings that advertise that they have a “flat rate.”
- She could not understand how the managers of the building could come up with this “flat rate.”

E. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 1310 Stanyan Street

Steve Williams

- He would like to have an opportunity to respond to the briefings.
- There are still a lot of issues to resolve: design, light and air, etc.
- He requested that the overall height of the building be reduced.
- He asked the Commission to adopt the good neighbor suggestions.

Merda Metoula

- She spoke at the previous hearing and is available for questions.

George Matoula

- He does not want to see the borderline changed.
- The boundary line has been used almost for a source of “oppression!”
- He has blueprints that show that the boundary line has changed.
- He filed a complaint with the architect’s board.

Catherine Marcony

- She objects to the approval of the plan.
- The project will cheapen the neighborhood.
- The project will not provide any light to the neighbor.

CJ Higley

- He opposes the continuance.
- He did not raise any issues with Mr. Williams.
- There is no reason to delay this project any longer.

- There is actually a 1 ½ to 2 inch discrepancy for the duration of the property line.
- Even taking the DR requestor's survey as fact, that there is a discrepancy.
- He is happy to accept anything that turns out to be true.
- They did offer good neighbor gestures.
- The building height is not too large.
- No merger was ever required.

Mark Connel – Project Architect

- He has available various designs for the Commission.
- He has copies of the surveys as well.
- He is available for questions.

Joe O'Donaghue

- He has not read the briefs either.
- The question is if the lot is legally buildable.
- The facts are that the lot in question was a legal lot.
- As comments are allowed on comments, then it becomes another hearing completely.

F. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

8. 2004.1167DD (R. CRAWFORD: (415) 558-6358)
1310 STANYAN STREET - east side of a n undeveloped portion of Stanyan Street between Clarendon Avenue and Mountain Spring Avenue. Assessor's Block 2706 Lot 035 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.15.8977, to construct a new single-family dwelling, three stories in height on a vacant parcel in an RH-1(D) - (Residential House, One Family, Detached) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Project.

(Continued from Regular Meeting of January 20, 2005)

NOTE: On January 20, 2005, following public testimony, the Commission closed the public hearing and continued the matter to February 17, 2005 by a vote +6 –0. The Commission directed staff to research the permit history of the original building on the adjacent property to see if subject lot was part of the original development site for 90 Mountain Spring. Commissioner Bradford-Bell was absent

SPEAKER(S):

Re: Continuance

Steve Williams

- He submitted a letter requesting that this item be continued.
- There is a matter of fairness here.
- He requested some documents regarding the lot merger but he hasn't received them.

CJ Higley

- He is opposed to a continuance. The Commission has everything to proceed with this case.
- He can speak to the merits of what Mr. Williams spoke about but he would rather do this when the case is called.

Re: Merits of Project

SPEAKER(S): None

ACTION: Took Discretionary Review and approved the project with the good neighbor gestures suggested in plans dated January 12, 2005. Also, allow DBI or appropriate city agency to determine if subdivision maps are in conformity.

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee

NAYES: Hughes and Olague

G. REGULAR CALENDAR

9. 2004.1106D (S. SNYDER: (415) 558-6543)
252 HOLYOKE STREET - east side between Felton and Burrows Streets; Lot 6 in Assessor's Block 5976 - **Request for Discretionary Review** of Building Permit Application No. 2003.09.19.5209, proposing vertical and horizontal front and rear additions to the single-family dwelling in an RH-1 (Residential, House, One-family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve as proposed.
 (Continued from Regular Meeting of February 3, 2005)
- SPEAKER(S): None
 ACTION: Prior to this hearing, the building permit application was withdrawn.
10. 2004.093D (S. SNYDER: (415) 558-6543)
371 MISSOURI STREET - east side between 19th and 20th Streets, Lot 17 in Assessor's Block 4037 - **Request for Discretionary Review** of Building Permit No. 2004.06.10.6121 proposing to add third floor to a two-family dwelling located in an RH-2 (Residential, House, Two-Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and require modification of plans to match adjacent light well.
- SPEAKER(S):
 (-) **Rich Diamond – Discretionary Review Requestor**
 - He displayed two diagrams of the interior of the house showing the locations where he will lose sunlight and showing how, if the project were modified, he would lose less sunlight.
 - He displayed pictures of windows in various rooms showing how the project would block the window.
 - He is not stopping the project sponsor from building.
 (+) **Jeremy Paul – Representing Project Sponsor**
 - This is truly a matter of affordable housing.
 - The project sponsor was able to purchase the property from a relative.
 - The space is needed for the project sponsor.
 - The light well is facing north so it would not lose sunlight.
 - If the project were modified the project sponsor would lose a lot.
 - The loss of the square footage would cause a bathroom to be lost.
 - The rear yard scale will not change.
 (+) **Joe O'Donoghue**
 - The DR requestor purchased his house recently.
 - View is never an issue with the Commission.
 - He has never understood why there are some light wells that are matched.
 - He can empathize that the great view would be lost.
- ACTION: Took Discretionary Review and approved the project with a 2-foot light well to match the 10-foot dimension front to back.
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
11. 2004.0862D (M. WOODS: (415) 558-6315)
2847-49 WASHINGTON STREET - south side between Divisadero and Scott Streets; Lot 031 in Assessor's Block 1002 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit

Application No. 2004.0414.1288S, proposing to convert the building's authorized use from four dwelling units to two dwelling units, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Building Permit Application as Proposed.

SPEAKER(S):

(+) John Conomis – Project Sponsor

- This application offers a number of benefits. The building will be restored to the building's intended use.
- No tenants will be displaced.
- A parking space will be added.
- He hopes that the Commission will approve this project.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Alexander, Antonini, Hughes, S. Lee, Olague

ABSENT: Bradford Bell and W. Lee

12. 2004.1274DD (M. SNYDER: (415) 575-6891)
1919 22nd STREET southwest corner of 22nd Street and Carolina Street, Lot 001 in Assessor's Block 4161 - **Request for Discretionary Review** of Building Permit Application No. 2004.06.11.6191 proposing to construct a horizontal and vertical addition to the existing non-complying single-family house and create an additional unit. The property is within an RH-3 (Residential, House, Three-family) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve the project with conditions.

SPEAKER(S):

(-) Cris Gardner – Discretionary Review Requestor

- She submitted a letter from the other Discretionary Review requestor since she had to leave.
- The proposed project is higher than allowed so it does not conform to the mid block open space.
- They have worked with the project architect and have come to some agreement.
- The project significantly impacts the character of the neighborhood.
- This is bordering on excessive but acceptable to them.
- The expandable building envelope should be contained now and in the future.
- There is quite a bit of open space right now.
- She displayed a photograph of a house showing the type of architecture in the neighborhood.
- She is asking for a continuance to revisit issues that have not been resolved or to take discretionary review and adopt the conditions that they are suggesting.

(-) Bill Canahan

- His family owns a home on Carolina Street.
- He appreciates that the project sponsor has not requested the tallest height allowed, because there are still things that need to be discussed.
- He supports the suggestion of having a Notice of Special Restriction.

(-) Dorothy Larson

- She lives on Carolina Street.
- She displayed a photograph of the street showing the homes on the hill.
- There has always been a yard next to the property.
- Most of the homes are single story. Having a two story would be too tall.
- This project should have a set back of nine feet.

- A yard is important to have in this area.

(-) Pamela Vault

- She is not a resident of the area.
- She is shocked to hear that such a project would be allowed with no open space.
- This project would set a precedent.

(+) John Lum – Project Architect

- This house is an opportunity for the project sponsor to live with his family.
- The project would allow a unit in the front on the Carolina Street side.
- If a yard were to be designed, the project would lose a lot of habitable space.
- He knows that the project is appropriately scaled.
- There is a very large park right across the street. The issue of the neighbors not having open space is unfounded.
- The project meets the Planning Code.
- This project is sensibly designed so issuing a Notice of Special Restrictions would restrict the project a lot.

ACTION: Hearing Held. Item continued to March 3, 2005. Revised drawings/plans are to be provided to the Commission for review.

AYES: Alexander, Antonini, Hughes, S. Lee, Olague

ABSENT: Bradford Bell and W. Lee

13. 2004.0334D (D. SIDER: (415) 558-6697)
3579 MISSION STREET - east side, between Santa Marina Street and Appleton Avenue; Lot 027 in Assessor's Block 5712 – **Request for Discretionary Review** of Building Permit Application Number 2002.05.13.6349 proposing to construct a new structure including two dwelling units. The project also involves the demolition of an existing one-story office building under Demolition Permit Application Number 2002.05.13.6344. The property is located in an RH-2 (Residential, House, Two-Family) Zoning District, a 40-X Height and Bulk District, and the Bernal Heights Special Use District.
 Preliminary Recommendation: Do not take DR and approve the project as proposed.

SPEAKER(S):

(-) Miles Bower – Discretionary Review Requestor

- His home is located on a hill so he does not get too much sunlight anyway.
- He is happy to see that someone wants to do something with the property.
- The neighbor has illegal signage on the property and a lot of weeds.
- He displayed a photograph of his landscaped garden where the project sponsor stated that his garden is not well kept.
- He displayed a diagram of what he suggests the project sponsor should do.

(+) Van Lee – Project Architect

- She has responded to the Discretionary Review requestor already and is available for questions.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Alexander, Antonini, Hughes, S. Lee, Olague

ABSENT: Bradford Bell and W. Lee

14. 2004.0915C (D. SIDER: (415) 558-6697)
1598 DOLORES STREET - northwest corner of 29th Street; Lots 40 through 52, inclusive, in Assessor's Block 6618 - **Request for Conditional Use** authorization to modify conditions of approval set forth in Planning Commission Motion Number 16445 as modified by Board of Supervisors Motion Number M02-163 and relating to Planning Department Case Number 2000.1058C to allow payment of an in-lieu affordable housing fee rather than provide on-site affordable housing, pursuant to inclusionary housing

policies set forth in Planning Commission Resolution Number 16350. In September of 2002, the City authorized construction of two 4-story buildings on the subject property containing a total of 13 units and up to 26 independently accessible off-street parking spaces; both buildings are now complete. Conditions of approval require one of the proposed units to be provided as a Below Market Rate (BMR) unit. This proposal would modify previous conditions of approval to allow the payment of an in-lieu fee to the Mayor's Office of Housing rather than provide the required BMR unit on-site. No physical work is proposed. The property is within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Disapproval
 (Continued from Regular Meeting of January 20, 2005)

SPEAKER(S):

(+) Alice Barkley

- At the time that this project was approved, the Commission did not allow an offsite provision or in lieu fee payment.
- The Board of Supervisors then determined that there would be three options: inclusionary housing, onsite/offsite provisions or in lieu fees.
- The current law should be applied to this project.
- The City is short of funds for affordable projects that are under construction.

(-) Vicky Rosen

- She lives around the corner from the subject property.
- The neighborhood wants to keep the affordable unit.
- The development was approved with great controversy.
- Contributing to the Mayor's Office of housing does not contribute to the affordable unit.
- She requested that the Commission not allow this to happen.

(-) Claudia Be

- She is a new homeowner in this neighborhood.
- She has been authorized by the homeowners association and the residents of the units to speak for them.
- She requested that the Commission deny the variance.
- The plumbing expert stated that when a few of the units were flooded during the rains, it was because there was something wrong with the architecture and the plumbing.
- By approving this project, it would allow construction by a negligent builder.

(-) Sue Hestor

- This was a very controversial project.
- The developer made a statement that the neighborhood did not want a "poor unit".
- The money that is being offered, is money that does not match the affordability of the unit.
- The Commission should allow an Inclusionary unit at this project site.

ACTION: Disapproved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 16948

15. 2005.0128U (M. CORRETTE: (415) 558-6295)
1886 MISSION STREET - west side between 14th and 15th Streets, Lot 003 in Assessor's Block 3547 - **Appeal of Inner Mission North survey findings** - Following the Landmarks Boards' Public Review Process for Cultural Resource Survey findings, the Planning Commission must review written objections to the Inner Mission North Cultural Resource Survey Phase II (California Department of Parks and Recreation Survey Forms - DPR 523A and 523B) survey findings as presented by property owner. The Commission is requested to evaluate the owner's objection to the proposed California Historic Resources Status Code (CHRSC) assigned to the property at 1886 Mission

Street. It should consider and adopt a resolution to either: 1) endorse the evaluation and the CHRSC rating that found the property to be individually eligible for the California Register (3CS), or 2) determine, based on historical evidence and evaluation criteria, an alternate CHRSC status code.

Preliminary Recommendation: Adopt a resolution upholding the evaluation and Status Code of 3CS as recommended by the Landmark's Board.

SPEAKER(S):

Re: Continuance

Brett Gladstone

- He is interested in having this item continued.

Re: Merits of the Project

(-) Brett Gladstone

- Planning Staff issued a negative declaration previously on this building.
- In 2004, the revisions to the project were done, the Landmarks Board designated the building as historic.
- A rating of 6L means that it should be on a City and State survey but should not be categorized with a historic rating.

(-) Augustine Faxon

- It has been five years since he started with this project.
- The intent is to have affordable housing and to have community space for the neighbors to meet.
- He will be able to train the youth of the Mission to work on this project.
- It is worth keeping the history but not to designate it as a landmark.

(-) Warner Schmalz – Project Architect

- He displayed various pictures of buildings that are old but would not be designated as a Landmark.
- They are similar to the subject project.
- The project was built with poor quality materials and badly constructed.
- The history of the subject building is in the labor units that met there and not into its architecture.
- The history of the building will be maintained in pictures and statements that will be displayed in the lobby of the building.
- He hopes that the Commission will vote similar to the vote of the 2000 Commission and not designate this site a Landmark.

(-) Roberta Gavino

- She is a member of the Carpenter's Union.
- She hopes that the Commission will allow the developer to construct affordable housing at this location.
- There is nothing historical about this building.

(-) Ruben Santana

- He made an evaluation report on the well being of the project.
- The building is not something that anyone would want to maintain.
- The building should be demolished and a properly engineered structure should be constructed.
- He grew up in the neighborhood and has seen the area not progress at all.
- He would like to have this area progress.
- This is just another "white elephant."

(-) Michael Davos

- This project was not designated a Landmark when the project came before the Commission a few years ago.
- This building should just be demolished.
- He hopes that the Commission votes to not designate it a Landmark.

(-) Carmen Perez – Spoke through a translator

- This project could bring many benefits to the neighbors.
- This project will allow a community space for the residents of the area.

(-) Sofia Ayala – San Francisco Hispanic Chamber of Commerce

- She read a letter from the president of the Chamber requesting that the Commission not give this building with a historic rating.

(-) Phillip Lesser – President of the Mission Merchant's Association

- Everyone in the Mission is at a loss as to why this building would even be considered a landmark.
- There are wonderful buildings in the area. If this building was an attraction he would totally be in agreement with land marking it in order to continue the beauty in the Mission, but it is not.
- The building is only a crime magnet.

(-) Gus Murad

- He lives and works in the Mission District.
- He walked around the building and it is really in a bad shape.
- He cannot see the historic significance for it or setting a high rating value to it.

(-) Nick Aiello – Senior Vice President of the Mission National Bank

- He has been in the banking business in the Mission for 30 years.
- Everyone in the Mission is wanted and needed by the residents of the Mission District.
- It should not take four years to make a decision on this building.
- He has been in the building and there is nothing historical there.

(-) Milton Gaines

- He has been in business for 35 years in the Mission District.
- He feels that this is a judgment call. Many people feel that it is a historic building and many people believe that it is not.
- He feels that this building should not be designated historic.
- This area is an area in the Mission that needs the most improvements.

(-) Fred Snyder

- He appreciates the presentation made by staff.
- He is not sure if this designation is a way to stop construction in the Mission Street.
- The building is rundown and dilapidated and should be demolished.
- The project that is being proposed would clean up the neighborhood tremendously.

(+) Will Smith

- Even if the money was found to restore the building, there is no point in fixing it if it is going to sit empty.

(-) John O'Brian

- He was born in the Mission District.
- He is in favor of the project because it will create affordable housing and jobs for the building trades.
- He is shocked that someone would suggest designating this a Landmark.

(-) Jose Moreno – Housing Action Coalition

- The building has no historical significance as far as he is concerned.
- The project will add much needed housing and tax revenue.
- The Housing Action Coalition voted to [demolish this].

(+) Tim Kelley – Landmark's Board President

- They have gone through a process of evaluation of this building.
- The Board voted unanimously to recommend this building to be designated a Landmark.
- A historic resource is a category under CEQA that represents the quality of a building.

(-) Kate White

- The site has no architectural merit, according to Heritage.
- She appreciates that the owner has improved the project but it is not very well designed.
- The proposed project will improve the area greatly.

(+) Erin Gruz – San Francisco Architectural Heritage

- The Planning Department takes their historic research very seriously.
- This property has been through a lot.
- She urged the Commission to uphold the designation by staff.

(-) Rosario Anaya – Mission Language and Vocational School

- She is here to support Mission Gardens, which is a project that will be a gateway to the Mission District.
- It is very encouraging for the community to see a project that will allow possible homeownership.
- The developer has done his due diligence by seeking community input.
- She asked the Commission to not allow a historical value of this project and allow a developer to improve the building.

(-) Toby Levine

- She has been a resident of the Mission for about 38 years.
- She lives in a Landmark building.
- This building is a very simple, uninteresting, old and rundown building that has no architectural merit.
- It does have its historical merit--but that is all.
- The Landmarks Board is advisory to the Commission where the decision rests.
- It is time to give it the right category and allow the project that everyone wants.

(-) Lamar Baker

- He is a member of the Carpenter's Union.
- This building really needs to be fixed.
- It is important to rebuild areas of San Francisco.
- The developer is a great person that will allow a project that will benefit everyone.
- He recommended that the Commission not designate this a Landmark.

(+) Sue Hestor

- There is a lot of support for a replacement project.
- This item is not about the project but about the process.
- This is not saying that the project cannot be built.
- She appreciates the various staff reports.
- The environmental document should just be done.

(-) Dale Watson

- She is a carpenter.
- The building is only going to be a target for crime.
- This building should just be demolished and allow for an affordable project.

(-) Kinn Sean Webber

- He has not seen the building but can understand everything that is being said.
- When a building is conditioned for housing, it allows for people to live there peacefully.

(-) Azelia Merrill

- She is a native San Franciscan and belongs to the Carpenter's Union.
- This building is not contributing to the culture of the neighborhood.
- The building has acquired a lot of mold.
- She does not see any merit to designate this with architectural value.

ACTION: Passed a Motion of Intent to overturn the Landmarks Board designation of 3CS and designate the project a 6L. Final Language February 24, 2005.

AYES: Antonini, Hughes, W. Lee, Olague

NAYES: Alexander and Sue Lee

ABSENT: Bradford Bell

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 7:18 p.m. – In Memory of Stan Warren

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 7, 2005.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, February 24, 2005

2:00 PM

Regular Meeting

DOCUMENTS DEPT

MAR 14 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Dwight Alexander; Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, Sue Lee; William L. Lee, Christina Olague

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:42 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Art Aguilar; Joy Navarrete; Geoffrey Nelson; Craig Nikitas; Kelley Amdur; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.0458E (J. NAVARRETE: (415) 558-5975)
566 SOUTH VAN NESS AVENUE - Appeal of Preliminary Negative Declaration - The proposed project would include demolition of an existing 4,344 gross-square-foot, one-story retail/commercial building and rear storage building and construction of a five-story, 50-foot-tall mixed-use building which would contain 32 residential units on the second through fifth floors and retail/commercial use on the ground floor. The residential use would be 27,491 gross square feet (gsf) in area, and the retail/commercial space would be 4,344 gsf in size. The ground floor and basement levels would include 32 parking spaces designated for the residential use with ingress and egress from South Van Ness Avenue. The ground floor would contain the commercial space and residential lobby. The 12,253-square-foot site is located within the C-M (Heavy Commercial) zoning district and within a 50-X height and bulk district. The proposed project requires a conditional use authorization for residential use in the C-M district.
Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of February 17, 2005)
(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to March 3, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 2a. 2004.0458C (M. SNYDER: (415) 575-6891)
566 SOUTH VAN NESS AVENUE - west side between 16th Street and 17th Street, Block 3570 in Assessor's Lot 005 - **Request for Conditional Use** authorization to allow 32 dwelling units in a C-M District, under Planning Code Sections 215. The subject property is within an C-M (Heavy Commercial) District, a 50-X Height and Bulk District, and a PDR/ Housing Overlay Zone as designated in the Eastern Neighborhoods Interim Policies (Planning Commission Resolution 16727).
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of February 17, 2005)
(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to March 3, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 2b. 2004.0458V (M. SNYDER: (415) 575-6891)
566 SOUTH VAN NESS AVENUE - west side between 16th Street and 17th Street, Block 3570 in Assessor's Lot 005 - **Request for an Exposure Variance** to allow eight of the proposed 32 dwelling units to face (or have exposure to) an open space that does not meet the specification requirements of Planning Code Section 140. The subject property is within an C-M (Heavy Commercial) District, a 50-X Height and Bulk District, and a PDR/ Housing Overlay Zone as designated in the Eastern Neighborhoods Interim Policies (Planning Commission Resolution 16727).
(Continued from Regular Meeting of February 17, 2005)
(Proposed for Continuance to March 3, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to March 3, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 3a. 2003.0253D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2001.03.07.3680 to demolish an existing two-story two-family dwelling (the project also proposes the construction of a new two-family dwelling) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending.
(Continued from Regular Meeting of January 27, 2005)
(Proposed for Continuance to March 3, 2005) March 17, 2005

SPEAKER(S): None
ACTION: Without hearing, item continued to March 17, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 3b. 2004.0682D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new construction to replace demolished housing,

of Building Permit Application No. 2001.03.07.3684 for the new construction of a three-story, two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposed new building will contain two off-street parking spaces.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of January 27, 2005)

(Proposed for Continuance to ~~March 3, 2005~~ March 17, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 17, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

4. 2004.1158D (B. FU: (415) 558-6613)
 877 CAROLINA STREET - east side between 20th and 22nd Streets; Lot 026 in Assessor's Block 4097 - Requested **Discretionary Review** of Building Permit Application No. 2004.07.16.9070 proposing to construct an one-story vertical addition to the existing one-story over garage single-family dwelling, within a RH-2 (Residential House, Two-family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Pending
(Proposed for Continuance to March 10, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 10, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Consideration of Adoption:

- Draft Minutes of Regular Meeting of October 14, 2004

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

EXCUSED: Alexander

- Draft Minutes of Planning Director Subcommittee for October 14, 2004

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Sue Lee

- Draft Minutes of Regular Meeting of October 21, 2004

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, W. Lee, Olague

EXCUSED: S. Lee

- Draft Minutes of Regular Meeting of October 28, 2004

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- Draft Minutes of Planning Director Subcommittee for October 28, 2004

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, S. Lee

6. Commission Comments/Questions

Commissioner Antonini:

Re: Article in the Newspaper

- The article raised a very interesting question about 88 Townsend.
- How much of a building should be preserve and how should an adjacent property be treated?
- This is a very good question.

Commissioner W. Lee:

Re: Fire Code

- He asked what the status is of an ordinance regarding the fire code.
- When does the ordinance go into effect because it will affect projects that the department is currently approving?

Zoning Administrator responded:

- He discussed this issue with the Building Department and was told that it is an adopted ordinance and it is being implemented right now.
- The title of the ordinance states: Self-contained breathing replenishment systems on high rises where permits had been issued after March 30, 2004.

Commissioner W. Lee:

- During the permit process, when is one required to meet the fire code?

Zoning Administrator responded:

- The application should have been submitted after March 30, 2004.

Interim Director Macris responded:

- There will be a coordination meeting with DBI next Thursday so they will raise this question and report to the Commission afterward.

Commissioner W. Lee:

Re: Density Bonuses

- If one builds for low income or very low income are there higher density bonuses?
- He would like to receive information on this.

Interim Director Macris responded:

- He is inquiring with the City Attorney on the recently acquired state law.

Commissioner Bradford Bell:

Re: Eastern Neighborhoods

- When this issue was before the Commission she had some concerns about PDR matters and she knows that these concerns are being address in a report being prepared.
- She is concerned that projects are being delayed or that the viewpoint of Commissioners are not being considered.
- The Commission gave comments and direction on what they wanted and what their concerns are. She feels that some of the concerns are not being addressed or the information is not getting a back to the Commission.
- The Commission's opinions should be respected and both Commission and staff should work together.

Interim Director Macris responded:

- Staff is trying to respond to all the questions and concerns that the Commission has.
- He welcomed Commissioner Bell to come to the department for a briefing on the status of projects.
- It would be useful that on more than one occasion, any member of the Commission can speak with him a few minutes before the meeting starts to be briefed on any issue they would like to speak on.

Commissioner Hughes:

Re: Planning Director Search

- He reminded staff to submit their questions regarding the hiring of the new director.

Commissioner Olague:

Re: Housing Element and Emporium/Capwell

- She wants to know what the status of these issues are.

Commissioner W. Lee:

Re: Performance of the Commission

- He requested that Interim Director Macris send to staff a questionnaire on how they feel the Commission has been working so far and any issue that might be of interest to them regarding the performance of the Commission.

Commissioner Antonini:

- He agrees with Commissioner W. Lee and encouraged staff to do that.

Commissioner Bradford Bell:

- She feels the same way as Commissioner W. Lee and Antonini.
- It is important to work together and communicate.

C. DIRECTOR'S REPORT

7. Director's Announcements

None

8. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS -

- There was a categorical exemption on 847 Montgomery. Staff withdrew this and a new application will be applied for.

BOA – None

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

John McMahan

Re: Newspaper Article

- He has lived in San Francisco for many years.
- He read an article from John King of the San Francisco Chronicle called "Insulting Historic Preservation" related to a trend called "facadism" where, in the quest to hold on to the past, parts of the existing building is retained and a new contraction is done behind it.

Jim Salinas

Re: Affordable Housing

- He is concerned about the current situation at the Commission.
- He feels very strongly that the Commission has done positive things for San Francisco.
- The greatest responsibility that the Commission has right now is to create housing.
- All of the objectives and goals can be achieved.

Azalia Merrill

Re: Affordable Housing

- She grows weary of San Franciscans being forced out of the City. There is no housing crisis. There is an affordable housing crisis.
- There are truly remarkable buildings in San Francisco that could be preserved.
- The Commission should look at buildings that could provide affordable housing.

Marilyn Amini**Re: Items on the Calendar**

- There are two items on the calendar that involve planning code amendments.
- Both of these items should have an intent to initiate. The community needs to be advised and the public available to comment.
- The current procedures in the administrative code have no provisions for general rule exclusion assignments.

E. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 1517 Irving Street**Jeremy Paul**

- He is looking forward to hearing the demolition policy.
- He attempted to reach the neighbors involved in this case but was unsuccessful.
- As much housing as possible on this site should be allowed.
- He encourages the Commission to support a new building at this site.

Pat Buscovich

- Staff believes that mold should not be included in a demolition evaluation.
- There was a fire in the building a few years ago.
- Instead of taking out the walls, particleboards was glued to the walls. When these particleboards were removed, there were extreme levels of mold.
- The mold at this house will affect the quality of living.

Gabriel Ng – Project Architect

- He presented a shadow study to the neighbors.
- He displayed a sketch of the proposed new construction.
- He has tried to keep everyone involved in this project happy.

Re: 605 Kearny Street**Erin Crucz – S. F. Architectural Heritage**

- She was concerned with the height, the setback, floor plates, etc.
- They have met with the project sponsor twice and were very pleased with the outcome of the meetings.
- There has been a new proposal that should eliminate a setback.
- She asked the Commission to approve the proposal that includes the setback and the masonry stucco materials.

Re: 1234 Howard Street**Cesar Moreno – San Francisco Housing Action Coalition**

- The Housing Coalition endorses this site because it will provide much needed housing.
- The project also provides a very sensitive way to complement the surrounding neighborhood.
- He submitted a letter of endorsement regarding the project.

F. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

- 9a. 2004.0884D (G. NELSON: (415) 558-6257)
1517 IRVING STREET - south side between 16th and 17th Avenues; lot 047 in Assessor's Block 1771 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2004.04.13.1124, proposing to demolish a one-story (over uninhabitable ground floor), single-family dwelling in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. The two-family dwelling is located at the front of the lot. There is a related proposal (2004.0855D) to construct a four-story, three-family dwelling with three off-street parking spaces.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition
(Continued from Regular Meeting of February 3, 2005)
NOTE: On February 3, 2005, following public testimony the Commission entertained a motion to disapprove by a vote +3 -2, the motion failed to carry. Commissioners Hughes and W. Lee were absent. The matter was continued to February 24, 2005, by a vote +5 -0, to allow absent commissioners the opportunity to participate in the final action.
- SPEAKER(S): None
ACTION: Did not take Discretionary Review and approved the demolition
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
NAYES: Olague
- 9b. 2004.0885D (G. NELSON (415) 558-6257)
1517 IRVING STREET - south side between 16th and 17th Avenues; lot 047 in Assessor's Block 1771 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2004.04.13.1125, proposing to construct a four-story, three-family residential structure with three off-street parking spaces in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. There is a related proposal (2004.0884D) to demolish the single-family dwelling at the rear of the lot.
Preliminary Recommendation: Do not take Discretionary Review and approve the new construction
(Continued from Regular Meeting of February 3, 2005)
NOTE: On February 3, 2005, following public testimony the Commission entertained a motion to disapprove by a vote +3 -2, the motion failed to carry. Commissioners Hughes and W. Lee were absent. The matter was continued to February 24, 2005, by a vote +5 -0, to allow absent commissioners the opportunity to participate in the final action.
- SPEAKER(S): None
ACTION: Took Discretionary Review and approved the new construction with the following modifications: The proposed stair penthouse shall be removed and replaced with an open stair requiring no more enclosure than a safety handrail at the roof level.
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
- 10a. 2001.0249EKCV (K. AMDUR: (415) 558-6351)
605 KEARNY STREET - west side between Sacramento and Commercial Streets, Lot 007 in Assessor's Block 0226 - **Adoption of a Mitigated Negative Declaration and Request for a Conditional Use** authorization for a building exceeding 35 feet in height.

The proposal is to add one four-story dwelling unit to an existing one-story commercial building on a small, approximately 700 square foot, 29.5-foot deep lot. The commercial unit on the ground floor would remain. The building would be 50 feet in height with the proposed addition. The addition, like the existing commercial building, would cover the entire small site. No parking would be provided. Both parking and a rear yard/site coverage variances would be required and will be considered concurrently by the Zoning Administrator. Required open space would be provided on a rooftop terrace. The site is in the Chinatown Community Business (CCB) Zoning District and a 50-N Height and Bulk District.

Preliminary Recommendation: Adoption of Mitigated Negative Declaration and Approval of Conditional Use authorization with Conditions

(Continued from Regular Meeting of February 10, 2005)

NOTE: On December 9, 2004, following public testimony, the Commission continued the matter to February 10, 2005 by a vote of +6 -0. Commissioner William Lee was absent.

NOTE: On February 10, 2005, this item was continued to February 24, 2005.

SPEAKER(S): None

ACTION: Approved staff recommendation

AYES: Antonini, Hughes, S. Lee, W. Lee

NAYES: Alexander, Bradford Bell, Olague

MOTION: 16949

- 10b. 2001.0249EKC\ (K. AMDUR: (415) 558-6351)
605 KEARNY STREET - west side between Sacramento and Commercial Streets, Lot 7 in Assessor's Block 226 - **Request for a Variances** for rear yard/site coverage and parking for a building. The proposal is to add one four-story dwelling unit to an existing one-story commercial building on a small, approximately 700 square foot, 29.5-foot deep lot. The commercial unit on the ground floor would remain. The addition, like the existing commercial building, would entirely cover the small lot, where 75% maximum site coverage is permitted as of right. No parking is proposed, where one new space is required. The site is in the Chinatown Community Business (CCB) Zoning District and a 50-N Height and Bulk District.
 (Continued from Regular Meeting of February 10, 2005)
NOTE: On December 9, 2004, following public testimony, the Zoning Administrator continued the matter to February 10, 2005.
NOTE: On February 10, 2005, this item was continued to February 24, 2005.

SPEAKER(S): None

ACTION: Zoning Administrator closed public hearing and granted the variances.

11. 2005.0128U (M. CORRETTE: (415) 558-6295)
1886 MISSION STREET - west side between 14th and 15th Streets, Lot 003 in Assessor's Block 3547 - **Appeal of Inner Mission North survey findings** - Following the Landmarks Boards' Public Review Process for Cultural Resource Survey findings, the Planning Commission must review written objections to the Inner Mission North Cultural Resource Survey Phase II (California Department of Parks and Recreation Survey Forms - DPR 523A and 523B) survey findings as presented by property owner. The Commission is requested to evaluate the owner's objection to the proposed California Historic Resources Status Code (CHRSC) assigned to the property at 1886 Mission Street. It should consider and adopt a resolution to either: 1) endorse the evaluation and the CHRSC rating that found the property to be individually eligible for the California Register (3CS), or 2) determine, based on historical evidence and evaluation criteria, an alternate CHRSC status code.

Preliminary Recommendation: Adopt a resolution upholding the evaluation and Status Code of 3CS as recommended by the Landmark's Board.

NOTE: On February 17, 2005, following testimony, the Commission passed a motion of intent to not endorse the CHRSC rating of 3CS and determined an alternate rating of 6L by a vote +4-2. Commissioners Alexander and Sue Lee voted no. Commissioner Bradford-Bell was absent.

SPEAKER(S): None

ACTION: Without hearing, item continued to March 3, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

G. REGULAR CALENDAR

12.

(D. MACRIS: (415) 558-6411)

PLANNING DEPARTMENT'S PROPOSED WORK PROGRAM AND BUDGET FOR FY 2005-2006 - Consideration of approval of a draft resolution adopting the Planning Department's Proposed Work Program and Budget for Fiscal Year 2005-2006.
(Continued from Regular Meeting of February 10, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 3, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

13.

(C. NIKITAS: (415) 558-6306)

BRIEFING ON THE POLICY REQUIRING DISCRETIONARY REVIEW OF RESIDENTIAL DEMOLITIONS - A presentation outlining the Planning Commission's current "Temporary Policy" for Mandatory Discretionary Review of Dwellings proposed for demolition, and the criteria it comprises, a discussion of the efficacy and effects of the policy, and preliminary recommendations for revised elements to be adopted in the future as a long term policy, following a two-month period of review and public comment.
Preliminary Recommendation: Informational presentation - no action to be taken

SPEAKER(S):

(+) Pat Buscovich

- He made some comments and submitted them to the Commission regarding this being a good idea to have Discretionary Reviews that involve demolitions and new constructions.

- The different type of projects should be very distinct.

- It is very important for the Commission to exercise their discretion on the quality of the house.

- There are two different types of mold. Sometimes there is mold because of defective construction.

- Retaining walls should be included since they are part of the building.

- There should be a demolition impact fee because there are developers that are demolishing houses and replacing them with giant houses.

- Staff should hire him as the consultant instead of individual project applicants.

(+) Jeremy Paul

- It is important for the Commission to study what this policy has done to the process.

- He does not like it when clients come to him masquerading projects.

- The impact on the housing stock is not a good one.

- He congratulated staff on their work, but there are still some items that need to be analyzed.

(+) Jim Salinas

- He commended staff for this sound and solid report.

- Many demolitions were approved previously.
- He has seen soundness reports that are not very reliable.

(+) Azalea Merrill

- There should be safeguards that will state when or how a particular house should be demolished.
- The Commission should keep hold of affordable housing.

(+) Sue Hestor

- She could tell from the demolition report if there will be a lot of problems
- Eliminating the engineers/contractors that are being hired by developers is a good idea.
- There are many projects that are overturned at the Board of Appeals.
- The Board of Appeals should not undermine the policy.

(+) Alice Barkley

- The Board of Appeal has on staff two architects so the Board itself has its on expertise for evaluating buildings and reports related to demolition.
- There are problems with the policy: it doesn't address facades. If the facade of a certain building is ugly and the project sponsor wants it replaced.
- Older buildings should have the garage level raised.
- There are various items that still need to be looked at related to defacto demolitions.
- In the new policy there should be some leeway to look at these types of projects carefully.

(+) Joe Butler

- The City's smallest houses are the most vulnerable.
- People with low or moderate incomes should be allowed to bid on small homes.
- Promises are made to the Commission that are never set forward.

ACTION: Informational only. No Action Required by the Commission

14. 2004.0601C (T. TAM: (415) 558-6325)
299 DOLORES STREET - northeast corner of Dolores and 16th Streets, Lot 25 in Assessor's Block 3556 - **Request for a Conditional Use** authorization by Holy Family Day Home pursuant to Planning Code Sections 209.3 and 303 to amend a previously approved Conditional Use authorization. The previously approved Conditional Use authorization (Case No. 1997.823CE) was for the construction of a two-story childcare facility serving approximately 150 children. The new proposal is for the construction of a three-story childcare facility with the same number of children. The property is in the RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Donna Cahill

- She is honored to work for an organization that provides early education.
- They provide an array of services to the community.
- The new building is important for the long-term success of their programs.
- Early education requires enhancement of the environment. Having a new facility would contribute to this.

(+) Kass Smith – Project Architect

- He gave an architectural review of the site.

(+/-) David Scott – Dolores Plaza Homeowners Association

- They are adjacent to the proposed site.
- They are pleased to be part of the neighborhood.
- They are concerned that with an increased number of children, the playground area would be noisier. They would appreciate it if the project sponsor would find a way to reduce the noise.
- There is a parking issue in the area already. The planning for this facility should take into account a system for dropping off children and picking them up.

(+) Sister Gladys Guenther

- They support the proposed project.
- Allowing this permit would ensure a childcare heritage that has been at the site for over 90 years.

(+) Sister Marianne Smith

- She began working for the center in the 40s.
- She hopes that the Commission will approve this project.

(+) Pat Buscovich

- He is a member of the Board of Directors.
- This is the best quality childcare in the City.
- Their early education is essential.
- He is willing to get a white zone so that there is a flow of traffic and not traffic problems.

(+) Les Wisebock – Architect

- When the parking is moved around the corner, this will alleviate the traffic problems.

ACTION: Approved the project with the following condition: Project Sponsor shall make best efforts to apply to the Department of Parking and Traffic to obtain a white zone for pick up and drop off periods with regular parking to be allowed for the remainder of the day.

AYES: Antonini, Alexander, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 16950

15. 2004.1268C (S.YOUNG: (415) 558-6346)
2118-118 UNION STREET - north side between Fillmore and Webster Streets; Lot 011 in Assessor's Block 0533 - **Request for Conditional Use** authorization under Sections 745.45 and 303 of the Planning Code to convert approximately 1,800 square feet of vacant commercial retail space located at the basement level of an existing two-story over basement commercial building, to a retail wine and gift store ("Wine Styles") in the Union Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. No exterior modifications will be made to the existing building envelope.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Without hearing, item continued to March 10, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

16. 2004.0396E (J. NAVARRETE: (415) 558-5975)
30 DORE STREET - **Appeal of Preliminary Negative Declaration** - The proposed project is the demolition of an existing one-story, approximately 8,000-gross-square-foot (gsf) industrial building, and the construction of a 50-foot-tall five-story building that would contain 42 residential units and a one-level basement garage with 42 parking spaces. Parking and pedestrian access would be from Dore Street. The approximately 36,400gsf building would cover about three-quarters of the 8,500 square-foot site with approximately 2,100 square feet of rear yard. The project site is on Lot 24A in Assessor's Block 3518, on the west side of Dore Street, which is a street that bisects north-south the block bounded by Howard, 9th, Folsom and 10th Streets. The proposed project site is zoned SLR (Service/Light Industrial/Residential Mixed Use) in the South of Market neighborhood and is in the 50-X Height and Bulk District.
Preliminary Recommendation: Uphold Mitigated Negative Declaration

SPEAKER(S): None

ACTION: Preliminary Negative Declaration upheld.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 16951

17. 2002.0954E (A. AGUILAR: (415) 558-5973)
1234 HOWARD STREET - Certification of a Final Environmental Impact Report: The proposed project would involve the demolition of a vacant, light-industrial building totaling 8,250 gross square feet (gsf) and construction of a five-story residential building. The existing building proposed to be demolished is an historical resource for purposes of the California Environmental Quality Act (CEQA) because it is rated as a Category III (Contributory) building under Article 11 of the San Francisco Planning Code, an adopted local register. The proposed building would be 33,340 gsf in building floor area and would have 18 dwelling units. The proposed project would provide 18 off-street parking spaces for the residential units. The project site at 1234 Howard Street (Assessor's Block 3728, Lot 014) is approximately 8,250 square feet in size and located about mid-block on the northern side of Howard Street in the South of Market neighborhood in the block bounded by Howard, Eighth, Natoma, and Ninth Streets. The project site is zoned SLR (Service/Light Industrial/Residential) and within a 50-X height/bulk district
Preliminary Recommendation: Certify the Final Environmental Impact Report.
Please note that the public review period for the Draft Environmental Impact Report ended at 5:00 pm, October 19, 2004.

SPEAKER(S): None
 ACTION: Final Impact Report Certified
 AYES: Alexander, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Antonini
 MOTION: 16952

18. 2005.0076T (D. SIDER: (415) 558-6697)
ESTABLISHING ADDITIONAL AFFORDABILITY REQUIREMENTS FOR SRO UNITS - Consideration of an Ordinance amending Planning Code Section 890.88 to define a Single Room Occupancy (SRO) unit as a unit that is affordable to very low income or extremely low income households and making findings of consistency with Planning Code Section 101.1 and the General Plan.

SPEAKER(S):
 (+) **Bruce Allison**
 - He lives in an SRO and was lucky to get a subsidized one.
 - He supports this legislation.
 (+) **Steven Chester**
 - He supports this legislation because it is very important.
 - This legislation would allow units for people who really need them.
 - Until a private-public partnership is developed, people should be allowed to live in SRO housing.
 (+) **Juan Blanco Prado**
 - He supports this legislation.
 - Affordability requirements should be established.
 - Housing is definitely needed and this is a very important plan for the City to end homelessness.
 (+/-) **Anthony Faber**
 - He has been looking at this for a long time.
 - He believes that there should be more of a mix of income levels.
 - He is not in favor of limiting SRO income units to low and very low income.
 - SOMA should not be restricted to affordable housing.
 (-) **Charles Breniger**
 - He is opposed to the legislation.
 - There is no housing being created for people of medium income.
 - He has some units that have rent restriction.

- It is important to have a stepping-stone.

(-) Alice Barkley

- The question that should be asked by the Commission to the Supervisors is why haven't more SROs been built?

- A range should be made to include affordable as well as middle income.

- There are people that keep being ignored when conversations go on about affordable housing.

- She urged the Commission to reject the legislation in order to refine it and add a range.

(+/-) Jim Meko

- There is a profound distrust with anything associated with the RBA.

- The very existence of this Commission is signs that things have changed.

- There should be refinements done to this. Otherwise, SOMA will be the looser.

ACTION: Hearing held, Item continued to March 24, 2005. Public Hearing shall remain open.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

19. 2005.0058T (P. LORD: (415) 558-6311)
PROHIBITING DOWNTOWN PARK FUND MONIES FOR PARKING GARAGES -
Consideration of an Ordinance amending Planning Code Section 139 to prohibit the use of Downtown Park Fund monies for construction or financing of parking garages; making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, S. Lee, W. Lee, Olague

NAYES: Hughes

ABSENT: Alexander

RESOLUTION: 16953

20. 2004.1145C (R. CRAWFORD: (415) 558-6358)
2609 JUDAH STREET - south side between 31st and 32nd Avenues Assessor's Block 1822 Lot 034 - **Request Conditional Use** Approval under Planning Code Section 161.(j) for a reduction of 6 off street parking spaces required for dwellings for a Project that will replace 6 of 10 existing off street parking spaces in a building containing 10 dwelling units, with ground floor commercial space. This project lies within an NC-2 Small Scale Neighborhood Commercial District and within the 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague

NAYES: Hughes

MOTION: 16954

21. 2004.0904D (R. CRAWFORD: (415) 558-6358)
364 WINDING WAY - north side between Drake and Prague Streets, Assessor's Block 6479 Lot 012. **Request for Discretionary Review** of Building Permit Application No. 2004.0308.8029, to construct a three story addition to the rear of the existing two to three story dwelling, in an RH-1 (D) (Residential House, One Family, Detached) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and Modify the Project.

(Continued from Regular Meeting of January 20, 2005)

SPEAKER(S):

(-) Steve Currier – Outer Mission Residents Association – Representing Discretionary Review Requestor

- The project will block a window of an adjacent neighbor.
- This would greatly compromise the light and air to that neighbor.
- They met with the owner to try to come to a compromise but there was no agreement.
- They are willing and able to try to modify the project by eliminating the third floor.

(-) Gwendolyn Giblin

- Her house will be affected by the construction.
- Staff has come to a reasonable recommendation. The only issue here is the third floor.

(-) Mary Tam

- She is concerned with the impact the project will have on her light and air.
- Her mother does her early morning prayers in an area that is very sunny and this would impact her.
- She does not oppose the construction, just the third level.

(+) Peter Pham – Representing Project Sponsor

- It is crucial for the project sponsor to add a bathroom as it has been designed.
- Any modification would affect the neighbors yet the neighbors concerns do not rise to any extraordinary impacts.
- The neighbor's house is blocked by existing trees, which block the views and the light.

(+) Teresita de la Cruz

- She and her husband have spent most of their lives working and living in San Francisco.
- Her house needs upgrades and modifications.
- As she and her husband get older, it would be difficult for them to climb up the stairs that is why they need to install a bathroom near their bedroom.

(+) Eleanor de la Cruz

- Her father is planning to retire.
- Having a bathroom in her parent's bedroom would be a convenience to her elderly parents.
- They have made various attempts to compromise with the neighbors.

(+) Mariann Sullivan

- She does not understand why there is a view concern since there are many tall trees that block the view anyway.
- The building that is proposed is only 8 feet so there is enough space between the houses.
- There have been concerns about the open space but there have been neighbors that have constructed additions. She does not believe that this is a valid argument.
- Many other neighbors are not opposed to the project.

(+) Barbara Driver

- She has lived on Winding Way since 1983.
- She is a member of the Association.
- She does not believe that the Association conducted any voting on this project.
- Many of the neighbors are not opposed to the project.
- There are streets above her that can look down on us and we can look down on other houses.
- Some of the homes in the neighborhood have telescopes.

ACTION: Took Discretionary Review and approved the project with the following modifications: 1) remove top floor addition; 2) remove proposed bar sink on the second floor; 3) require the recordation of a Notice of Special Restriction limiting the use of the property to a single family home.

AYES: Alexander, Bradford Bell, Hughes, W. Lee, Olague
NAYES: Antonini and S. Lee

MOTION TO RESCIND: Commissioner Bradford Bell requested to rescind the vote.
AYES: Antonini, Alexander, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: Take Discretionary Review and Approve the project with the following condition: 1) do not approve addition to the top floor; 2) remove proposed bar sink on the second floor; 3) the recordation of a Notice of Special Restriction limiting the use of the property to a single family home.

AYES: Hughes, W. Lee, Olague
NAYES: Alexander, Antonini, Bradford Bell, S. Lee
RESULT: Motion Failed

ACTION: Took Discretionary Review and approved the project with the following modifications: 1) remove proposed bar sink on the second floor; 2) require the recordation of a Notice of Special Restriction limiting the use of the property to a single family home.

AYES: Alexander, Antonini, Bradford Bell, S. Lee
NAYES: Hughes, W. Lee, Olague

- 22a. 2004.1115D (G. NELSON: (415) 558-6257)
1598 SHRADER STREET - east side between Carmel Street and Belgrave Avenue; lot 021 in Assessor's Block 1294 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2004.07.06.8059, proposing to demolish a two-story single-family dwelling in the RH-2 (Residential, Two-Family) District and a 40-X Height and Bulk District. The dwelling is located at the rear of the lot. There is a related proposal (2004.1120D) to construct a three-story, single-family dwelling with two off-street parking spaces.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition

SPEAKER(S): None
ACTION: Did not take Discretionary Review and approved the demolition.
AYES: Alexander, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Antonini

- 22b. 2004.1120D (G. NELSON (415) 558-6257)
1598 SHRADER STREET - east side between Carmel Street and Belgrave Avenue; lot 021 in Assessor's Block 1294 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2004.07.06.8065, proposing to construct a three-story, single-family dwelling with two off-street parking spaces in the RH-2 (Residential, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal (2004.1115D) to demolish the single-family dwelling at the rear of the lot.

Preliminary Recommendation: Do not take Discretionary Review and approve the new construction

SPEAKER(S): None
ACTION: Did not take Discretionary Review and approved the project.
AYES: Alexander, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Antonini

23. 2004.1194 (D. DiBARTOLO: (415) 558-6291)
1056 - 1062 GREENWICH STREET - north side between Leavenworth and Jones Streets, Lot 007 in Assessor's Block 0072 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2004.09.20.4619, proposing to convert the number of residential units in the structure from five to four units by removing one dwelling at the basement level of the three-story over basement structure, within an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review And Disapprove The Project.

SPEAKER(S):

(+) Jeremy Paul – Representing Project Sponsor

- The owner has been at the property for more than ten years.
- One has to bend down to use the bathroom and or use the kitchen.
- The home is listed as a five family dwelling.
- The unit was legalized without the permits being approved.
- In various city records there is proof that the unit was not properly presented.
- There is a report of deficiency at the Building Department.
- This is quite an uninhabitable unit and should never have been legalized.

ACTION: Did not take Discretionary Review and approved the merger.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

24. 2005.0046D (G. CABREROS: (415) 558-6169)
1935 PACIFIC AVENUE - south side between Gough and Octavia Streets; Lot 014 in Assessor's Block 0592 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.28.9982 proposing a rear horizontal addition at the level of the existing partial third floor and within the footprint of the existing single-family residence in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve.

SPEAKER(S):

(-) Kurt Kunzel

- He displayed a floor map showing how he will be impacted with the new construction.
- All of the bedroom windows are two feet from the property line.
- They have attempted to talk to the architect but there was no consideration for a setback.
- They would just like to get a compromise so that the loss of light and air to his condominium would be minimal.

(-) Jill Manten

- She lives on Pacific Avenue with her husband and children.
- She is here to voice her concern about the quality of light and air that will be affected with the new construction.
- She tried to discuss her issues with the project sponsor but there was no agreement.

(-) Elise Rattle

- She displayed photographs of the bedroom windows that will be impacted by the new construction.
- Already with the first floor construction there is already an impact.

(+) Lauren Repeta – Project Architect

- She did talk to several of the neighbors.
- The project sponsor has been very ill so that is why she has not been at her home.
- The first story had already been approved, but they reduced the dimension of it because they planed to do another addition.

(+) Rob Liss – General Contractor

- They have been working on the city confines of the codes.
- They would like to get the project moving.

ACTION: Took Discretionary Review and approved the project with the following modification: a 5-foot side setback from the eastern side property line for a depth of 6 feet from the rear wall (at the upper level of the southeast corner of the subject building).

AYES: Antonini, Bradford Bell, S. Lee, Olague

NAYES: Alexander and Hughes

ABSENT: W. Lee

25. 2004.1192DDDD (B. FU: (415) 558-6613)
455 PENNSYLVANIA AVENUE - east side between 19th and 20th Streets; Lot 003B in Assessor's Block 4063 - **Staff-Initiated Discretionary Review** and three public requested Discretionary Reviews of Building Permit Application No. 2004.05.12.3718 proposing to construct a two-story vertical addition to the existing one-story over garage single-family dwelling, within a RH-2 (Residential House, Two-family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and Approve Project with Modifications

SPEAKER(S):**(-) Steven Helium – First Discretionary Review Requestor**

- Through conversation with the owner and the architect an adjusted proposal was presented to remove the top level with no setback.
- Without the top level, it is still a massive structure.
- There are taller buildings at the end of the block but are quite a distance away from the proposed project.
- The project will interfere with privacy, block sunlight, etc from the adjacent neighbors.

(-) Scott Durcanin – Potrero Boosters Neighborhood Association

- They are concerned about this project.
- They oppose the addition of two floors. Any alteration plan should be noticed to the community.

(-) Paul Clayman

- He has lived next door to the proposed project for 25 years.
- He read a letter from other adjacent neighbors who oppose the project but could not come to the hearing.

(-) Matt Channey

- He has lived across the street from the proposed project for 21 years.
- He has renovated his house twice.
- He has conducted a light study that doesn't discuss a 4th story addition but does discuss a 3rd story addition as well as a setback off the street.
- There is an impact to the homes across the street as well, not just the adjacent homes.

(-) Laura Spiegleman

- She is the newest member of the neighborhood.
- She shares the concerns of her neighbors about not being in support of the proposed project.

(+) Vinney Steinberg – Project Sponsor

- He is aware of the neighbor's concerns.
- He does not believe that the project will impact his neighbors.
- He had various conversations with the neighbors and the Discretionary Review requestors.

- He has made many revisions to his design but there are a lot of differences between the homes.

(+) Vera Kunda

- The addition will allow her family to live together.
- She does not know why her family is being put in a special situation since many neighbors have constructed additions to their properties.

ACTION: Took Discretionary Review and approved with the following modifications: 1) add a 1 hour roof; 2) recess garage door; 3) eliminate parapet; 4) remove top floor; 5) 15 foot setback on 3rd floor.

AYES: Alexander, Bradford Bell, Hughes, S. Lee, Olague

NAYES: Antonini

ABSENT: W. Lee

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Patrick (did not state last name)

Re: Item 20 – 2609 Judah Street

- He just walked out for a few minutes and his case had passed.
- This area of the neighborhood is having parking problems already.
- If more commercial space is added, there will be less parking.

Adjournment: 9:17 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 10, 2005.

SPEAKERS: None

ACTION: Approved

AYES: Antonini, S. Lee, W. Lee, Olague

ABSENT: Alexander, Bradford Bell, Hughes

MAR 25 2005

SAN FRANCISCO
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SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, March 3, 2005

1:30 PM

Regular Meeting

COMMISSIONERS PRESENT: Dwight Alexander; Michael J. Antonini, Kevin Hughes, Sue Lee; William L. Lee, Christina Olague

COMMISSIONERS ABSENT: Shelley Bradford Bell

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:35 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Amit Ghosh; Alicia Jean-Baptiste; Paul Maltzer; Matt Snyder; Michael Smith; Dan Sirois; Moses Corrette; Sharon Young; Mary Woods; Ben Fu; Paul Lord; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.1169C (C. NIKITAS: (415) 558-6306)
1251 THOMAS AVENUE - west side between Ingalls and Hawes Streets, Lot 030, in Assessor's Block 4807 - **Request for Conditional Use** authorization to operate a fenced vehicle storage yard and towing business as defined in Sections 223(t) & (u), pursuant to Section 249.15(b)(2), located on a site in an M-1 (Light Industrial) zoning district and the Restricted Light Industrial Special Use District and a 40-X height and bulk district.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of January 20, 2004)
(Proposed for Continuance to March 10, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to March 10, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

2. 2003.0869E (J. NAVARRETE: (415) 558-5975)
88 FIFTH STREET - THE OLD U.S. MINT - Appeal of Preliminary Mitigated Negative Declaration - The proposed project is the rehabilitation plus seismic upgrade and addition to the United States Old Mint located at 88 Fifth Street in downtown San Francisco (Assessor's Block 3704, Lot 11). The approximately 86,300-gross-square-foot (gsf) building is proposed for use as a City History Museum (77,300 gsf) with secondary uses being retail (restaurant, bar, and gift shops) and office uses. The project site is located on the northwest corner of Fifth and Mission Streets and bounded by Fifth, Mission, Mint, and Jessie Streets. Additional square footage and an additional story would be added within the interior courtyard with a glass roof over the courtyard, at about 10,000 gsf. The project would include closure of Jessie Street to vehicles, between Mint and Fifth Streets, to be used for outdoor restaurant seating. The project site is approximately 45,515 sq. ft., is zoned P (Public) within a 90-X height and bulk district, and within the Mid-Market St. Revitalization and Conservation District. Transaction document approvals would be required from the Board of Supervisors, and a Certificate of Appropriateness would be required by the Landmarks Preservation Advisory Board. Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Proposed for Continuance to April 7, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to April 7, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell
3. 2004.0389D (J. PURVIS: (415) 558-6354)
684 ARKANSAS STREET - west side between 20th and 22nd Streets; Lot 016 in Assessor's Block 4098 - **Request for Discretionary Review** of Building Permit Application No. 2003.05.22.5290 proposing the conversion of a single-family dwelling to a two-family dwelling with vertical and horizontal extensions. The site is in an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project. (Continued from Regular Meeting of January 20, 2004)
(Proposed for Continuance to April 14, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to April 14, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell
4. 2004.0916L (M. SNYDER: (415) 575-6891)
900 INNES AVENUE - northeast side between Griffith and Winters Point Boulevard. Assessor's Block 4646 and Lot 007 - **Request for Landmark Designation** under Planning Code Sections 1004.1, 1004.2 as City Landmark No. 250. The subject property is within an NC-2 (Neighborhood Commercial - Small Scale) District and a 40-X Height and Bulk District.
(Proposed for Continuance to April 21, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to April 21, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

- 5a. 2004.0032D (J. PURVIS: (415) 558-6354)
43 HAMILTON STREET - east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2002.10.17.9296, proposing the demolition of a one-story, single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District. Preliminary Recommendation: Pending
(Continued from Regular Meeting of January 20, 2004)
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 5b. 2004.0033D (J. PURVIS: (415) 558-6354)
43 HAMILTON STREET - east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review new construction to replace demolished, of Building Permit Application No. 2002.10.17.9298, proposing the construction of a two-story single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District. Preliminary Recommendation: Pending
(Continued from Regular Meeting of January 20, 2004)
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

6. 2004.0468DD (M. SMITH: (415) 575-6322)
346 DUNCAN STREET - north side between Sanchez and Church Streets, Lot 051 in Assessor's Block 6592 - **Request for Discretionary Review** of Building Permit Application No. 2003.09.25.5699, proposing to construct a vertical and horizontal addition on a single-family dwelling, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Project.
DISCRETIONARY REVIEW WITHDRAWN

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

7. 2004.1190D (D. SIROIS: (415) 558-6313)
1523 21ST AVENUE - west side, between Kirkham & Lawton Streets, Lot 003, Assessor's Block 1867 - **Request for Discretionary Review** of Building Permit Application 2004.04.19.1671, to construct a two-story horizontal addition to the rear of the existing single-family dwelling located in an RH-1 (Residential, Single-Family) District and in a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve project with modifications.
(Continued from Regular Meeting of February 10, 2005)

DISCRETIONARY REVIEW WITHDRAWN

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

B. COMMISSIONERS' QUESTIONS AND MATTERS

8. Commission Comments/Questions

Commissioner Antonini:

Re: San Francisco Historical Museum and Society

- He is a member and receives a magazine called the Argonaut.
- In this month's issue there was an article on real estate.
- He recommends the article by Patrick Magrue.
- He hopes that the decisions made by the Commission result in a product that is as nice as the kind of decisions made in the early 20th Century without any government intervention at all.

Commissioner W. Lee:

Re: Hiring Staff

- He would like the Director to give a status on this.

Re: Legislative Analyst

- He would like to hear comments on Sofie Maxwell's request from the Legislative Analyst to determine the role of private consultants in doing CEQA.
- He received a copy of a document from the Legislation Analyst.

Commissioner Olague:

RE: EIR in Eastern Neighborhoods

- There was a presentation on this at the Land Use Committee and she would like to see a similar presentation.

C. DIRECTOR'S REPORT

9. Director's Announcements

Re: Eastern Neighborhoods EIR

- The purpose of the presentation given at the Land Use Committee was to report what the status is.
- The Planning Department is on schedule. The contract is underway and in March there will be three public sessions in the Eastern Neighborhood areas. There will be a public announcement on the locations and dates.
- Everything will be done to get the document completed by December.
- There will be a presentation to the Commission on what the findings are.

Re: Solicitation for Comment

- At the request of the Commission, a request was made to staff to comment on the processes and functions of the Commission in order to understand staff's point of view.

Re: Board President, Aaron Peskin

- He asked the President of the Board to speak to all the senior staff of the Department.
- This happened this past Monday.

Re: 5th Thursday in March

- He spoke to the President of the Commission and they agreed to use the 5th Thursday in March to have a work session on housing. There could be various speakers coming to give presentations on this matter.

Re: Hiring

- Alicia Jean-Baptist will give a short presentation on this.

Alicia Jean-Baptist Responded:

- There are about 20 vacancies currently at the Department.
- They have been working closely with Human Resources to hiring permanent employees and send out notices.
- They expect to receive applications and letters of interest on various positions within the next three to five weeks.

Commissioner Antonini:**Re: Rincon Hill**

- When will this initiation take place?

Dr. Amit Ghosh Responded:

- When the date for the Certification of the EIR is set, there will be more of an idea of when the plan and zoning will be scheduled.
- The time period should be within a month or two.

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals**BOS –****Re: Appeal of a Categorical Exemption for 3775 21st Street**

- This project involved adding about 800 square feet to a 1,400 square foot building. There was some concern from the neighbors during the Variance process. The neighbors were not satisfied with what the project sponsor proposed.
- The Board upheld the decision of the Categorical Exemption. The Board asked that he [the Zoning Administrator] reopen the Discretionary Review hearing. He will be speaking with the various legal advisors on this.

BOA – None**D. GENERAL PUBLIC COMMENT – 15 MINUTES**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Daniela Kirshenbaum – San Francisco Neighborhood Network**Re: Emporium Project**

- A lot of the current issues of Planning relate to historic preservation.
- It does not seem like the developer or the departments have stepped forward to claim responsibility.
- She urged the Commission to support any inquiry on what went wrong.
- There is a very big systemic problem.

Lois Scott – Planners Chapter of Local 21**Re: Hiring Process**

- They are concerned about the hiring of professional and qualified staff especially for the Planning Director.
- It is very important to have someone committed to the integrity of the public process; a visionary with coordinative and collaborative skills who is able to work with other departments of the city, and guide decision makers and the public on reaching consensus, etc.
- Skills in working with labor organizations would be very important.

Nilka Julio – Local 21

Re: Hiring Process

- It is important to work collaboratively with DHR in order to hire professional planners.
- The most important thing that the Commission will face is the hiring of a new director.
- This candidate should have the knowledge of professional development, and should champion and support the work that the professional planners do every day.
- San Francisco is a very important place to be.
- A visionary is very important.

Adam Light

Re: Hiring

- He echoed everything that the two previous speakers have spoke about.
- He believes that the most important skill a candidate should have for the Planning Director is: management.
- Someone who comes in with a fresh perspective and a clean streak would be a good candidate.

Jeremy Nelson – Transportation for a Livable City

Re: Hiring and Planners Conference

- The planning Director that the Commission chooses will set the pace for the next years.
- He appreciates that the Commission is not taking this decision lightly.
- He is exited that the Commission will attend the Planners Conference.
- Ongoing professional development is very important for the future of San Francisco.

E. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 1919 22nd Street

John Lum – John Lum Architecture

- He has been working with the Discretionary Review applicant for the past five months.
- The issue that has not been resolved is the condition that the DR applicant wanted imposed on the project sponsor--that she could not have any more construction ever. This is not feasible for the project sponsor.
- There were some concerns about neighborhood character as well. He is very familiar with the neighborhood guidelines since he was part of the making of the document. He feels that the design of the building is in conformity with the guidelines.

Crispin Barker

- He asked that the property be kept within the guidelines.
- He asked that the design of the project be of a contemporary design style.
- He met with the neighbors who expressed some concern about the project but he was able to solve their issues.
- He respects the neighbor's rights about giving their opinion about his project, but he asked the Commission to take consideration about his right to renovate his property.

Kris Gardner

- She presented the material of the Discretionary Review requestor because she is not able to attend the hearing.
- Basically the issue relates to open space.
- She presented another piece of material from a neighbor who is also opposed to the project because of open space.

Dorothy Larson

- She lives next door to the proposed project.

- She is concerned with the setback. This setback should be more in conformity with the other houses.
- She is also concerned with open space, the height of the building, etc.

Re: 1886 Mission Street

Brett Gladstone

- The Commission should have more time to review the findings.
- The public has not had time to review comments either.
- He would like to have some further discussions with the City Attorney.
- He would appreciate a two-week continuance to review and comment on the issues.

Kate White

- This project does not need a full EIR.
- She hopes that the Commission looks at the real issue, the facts, and forget about the politics.

Bart James – Carpenter's Union

- This project should be torn down. It is a skeleton and could fall at any time.

Azalia Merrill – Carpenter's Union

- This building is an old building.
- She has done a lot of research on this project.
- There is nothing particularly special about this building.
- This building is corrupting the neighborhood and it is not contributing to it at all.

F. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

- 2004.1274DD (M. SNYDER: (415) 575-6891)
1919 22nd STREET southwest corner of 22nd and Carolina Street, Lot 001 in Assessor's Block 4161 - **Request for Discretionary Review** of Building Permit Application No. 2004.06.11.6191 proposing to construct a horizontal and vertical addition to the existing non-complying single-family house and create an additional unit. The property is within an RH-3 (Residential, House, Three-family) District, and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and approve the project with conditions.

NOTE: On February 17, 2005, following public testimony, the Commission closed the Public Hearing and continued the matter to March 3, 2005, by a vote +5 –0, to provide Commission with revised drawings. Commissioners Bradford-Bell and William Lee were absent.

SPEAKER(S): None

ACTION: Took Discretionary Review and approved the project with conditions recommended by staff.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 2005.0128U (M. CORRETTE: (415) 558-6295)
1886 MISSION STREET - west side between 14th and 15th Streets, Lot 003 in Assessor's Block 3547 - **Appeal of Inner Mission North survey findings** - Following the Landmarks Boards' Public Review Process for Cultural Resource Survey findings, the Planning Commission must review written objections to the Inner Mission North Cultural Resource Survey Phase II (California Department of Parks and Recreation Survey Forms - DPR 523A and 523B) survey findings as presented by property owner. The Commission is requested to evaluate the owner's objection to the proposed California Historic Resources Status Code (CHRSC) assigned to the property at 1886 Mission Street. It should consider and adopt a resolution to either: 1) endorse the evaluation and the CHRSC rating that found the property to be individually eligible for the California

Register (3CS), or 2) determine, based on historical evidence and evaluation criteria, an alternate CHRSC status code.

Preliminary Recommendation: Adopt a resolution upholding the evaluation and Status Code of 3CS as recommended by the Landmark's Board.

NOTE: On February 17, 2005, following testimony, the Commission closed the Public Hearing and passed a motion of intent to not endorse the CHRSC rating of 3CS and determined an alternate rating of 6L by a vote +4-2. Commissioners Alexander and Sue Lee voted no. Commissioner Bradford-Bell was absent.

NOTE: On February 24, 2005, the Commission continued to matter to March 3, 2005.

SPEAKER(S): None

ACTION: Hearing Held. Following Commission deliberation, the item was continued to March 24, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

G. REGULAR CALENDAR

13. (D. MACRIS: (415) 558-6411)
PLANNING DEPARTMENT'S PROPOSED WORK PROGRAM AND BUDGET FOR FY 2005-2006 - Consideration of approval of a draft resolution adopting the Planning Department's Proposed Work Program and Budget for Fiscal Year 2005-2006.
 (Continued from Regular Meeting of February 10, 2005)

SPEAKER(S):

David Pilpel

- He is glad that in the budget there is included a parking and traffic study.
- The Sunshine Ordinance Task force recommended that the Department establish a custodian of records.
- It is important to periodically do a department structure analysis.

Kate White

- She agrees with the priorities and the work plan on the budget.
- However, there is no augmented budget as there was last year.
- She would be happy to advocate for the augmented budget.
- Some of this extra money can be used for the Eastern Neighborhood and the Better Neighborhoods Plan.

Joe O'Donoghue – Residential Builders

- There are huge delays at the department.
- Where the fees have been increased, the productivity should increase as well.
- It is time that the Commission stood up to the Board of Supervisors.
- The Planning Department should charge the Board of Supervisors for services.

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 16955

- 14a. 2004.0364D (D. SIROIS: (415) 558-6313)
451 FAXON AVENUE - west side between De Montfort & Holloway Avenues, Lot 009, Assessor's Block 6939 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2003.11.24.0975, proposing to demolish an existing single-family dwelling in an RH-1 (Residential, House, One-Family) District and in a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the Demolition Permit.

(Continued from Regular Meeting of February 17, 2005)

SPEAKER(S):

(+) Bill Riddle – Project Architect

- He is available for questions.

ACTION: Did not take Discretionary Review and approved the demolition.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 14b. 2004.0651D (D. SIROIS: (415) 558-6313)
451 FAXON AVENUE - west side between De Montfort & Holloway Avenues, Lot 009, Assessor's Block 6939 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new construction to replace demolished housing, of Building Permit Application No. 2003.11.24.0979, proposing to construct a three-story, single-family residential building with two off-street parking spaces in an RH-1 (Residential, House, One-Family) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and Approve the New Construction Permit.
(Continued from Regular Meeting of February 17, 2005)

SPEAKER(S): See Speakers for Item 14a.

ACTION: Did not take Discretionary Review and approved the project.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

15. 2005.0141D (D. SIROIS: (415) 558-6313)
120 UPPER TERRACE - north side, between Masonic Avenue & Ashbury Terrace, Lot 009, Assessor's Block 2617A - **Request for Discretionary Review** of Building Permit Application 2004.10.04.5862, proposing to construct a partial one-story vertical addition on the existing single-family house and to construct new stairs and decks on the east side of the building. The subject property is located in an RH-1(D) (Residential, Single-Family, Detached) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and Approve Project.

SPEAKER(S):

Re: Continuance

Robert Pentel

- Since the onset of this project, there have been constant negotiations.

- They are within "inches" of coming to a final resolution.

- They had expected to sign all the drawings by last evening.

- Unfortunately the firm that they have is the same as the one the project sponsors have. That would be a conflict of interest.

Jeremy Paul

- He agrees with the previous speaker.

- Unfortunately there have been some delays to get a document stating the withdrawal of the Discretionary Review.

- A one week continuance would be adequate.

Jim Hansen

- The date for this hearing has been set for a while.

- Further delay would cause financial hardship to his family.

- He got a new attorney when he found out about the conflict of interest.

Re: Merits of Project

(-) Jeremy Paul – Representing Discretionary Review Requestor

- There is still a small disagreement.
- The details of the text became muddled and that is why this case is still before the Commission.
- The other neighbors are here to speak also.

(-) Robert Pantell – 2nd Discretionary Review Requestor

- He discovered that the same law firm was representing both parties.
- There have been some changes to the design.
- He has been trying to get the lawyers to finalize the wording on the contracts.

(+) Jim Hansen – Project Sponsor

- The negotiations have been very close.
- He hopes that they come to an agreement as soon as possible.

(+) Jon Felco – Project Architect

- He is available for questions.

(+) Tom Morrow

- He lives on Upper Terrace.
- He is in favor of the project.
- The house is an architectural gem.
- He would like to see the work progress as soon as possible.

(+) Katie Hansen

- They had many of the neighbors come to see the plans for their project.
- No one had ever protested his or her project until recently.
- It is difficult for them since they had made a good effort to communicate with their neighbors.
- They are anxious to move in and have this house be their home.

MOTION: To take Discretionary Review and approve the project with a 1 foot reduction.

AYES: Olague

NAYES: Alexander, Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell

RESULT: Motion failed

ACTION: Did not take Discretionary Review and approved the project.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee

NAYES: Olague

ABSENT: Bradford Bell

- 16a. 2004.0516D (D.SIROIS: (415) 558-6313)
 4381 26TH STREET - south side, between Douglass & Diamond Streets, Lot 021, Assessor's Block 6561 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2004.05.25.4745, proposing to demolish an existing single-family dwelling in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and Approve Demolition.

SPEAKER(S):

(+) Mark Raymond – Project Architect

- The project has numerous structural defects that make the property unsound.

- The one room cottage is the only one on the block that does not have a rear yard.
- None of the existing neighbors would like to see this dilapidated structure preserved.
- He displayed a rendering of the proposed new construction.
- If this house is enlarged, it would require various Variances.

(+) Joe O'Donoghue

- This project violates Proposition M.
- The demolition ordinance applies to structures that can be expanded but this structure cannot be expanded.

ACTION: Did not take Discretionary Review and approved the demolition
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell

- 16b. 2004.0572D (D.SIROIS: (415) 558-6313)
4381 26TH STREET - south side, between Douglass & Diamond Streets, Lot 021, Assessor's Block 6561 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new construction to replace demolished housing, of Building Permit Application No. 2004.05.25.4740, proposing to construct a three-story, single-family house with one off-street parking space in an RH-1 (Residential, House, One-Family) District and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and Approve Project.

SPEAKER(S): See Speakers for Item 16a.
 ACTION: Did not take Discretionary Review and approved the project
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell

17. 2004.0798D (M. SMITH: (415) 558-6322)
2070 30TH AVENUE - east side between Pacheco and Quintara Streets, Lot 003M in Assessor's Block 2149 - **Request for Discretionary Review** of Building Permit Application No. 2004.01.26.4825, proposing to construct a two-story horizontal addition at the rear of a single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications

SPEAKER(S):

(-) Nancy Denney Phelps – Discretionary Review Requestor

- She recommended that the project sponsor just make one floor addition to their project.
- It would have been nice for the project sponsor to come to explain their project to her and at that time they would have been able to discuss the issues they have. This would have saved time and money.
- The rear addition would set a precedent and would alter the character of the neighborhood.
- She is very concerned with the height and bulk of the building.
- There are various neighbors who oppose the project.

(-) Nick Phelps

- He displayed various diagrams showing the height and bulk of the structure; and ones that displayed how the height of the building would block the light and sun from the adjacent neighbors.

(-) Bick Jane Tang Tso

- She lives in the neighborhood and is opposed to the project.
- If sunlight is blocked to the rear of the property it will create a shadow on her garden.
- This will affect her property value. It will decrease it.

(+) C.J. Higley – Representing Project Sponsor

- The project sponsor has lived in the house for 19 years.
- Their children have been growing and their house has been getting smaller and smaller.
- The parents of the project sponsor are getting older and will be moving in with their children and grandchildren.
- These are the reasons for the expansion. They do not want to leave San Francisco.
- He realizes that the project will create some shadow to the adjacent neighbors.

(+) Kwan Lu – Project Sponsor

- He and his family want to stay in San Francisco.
- At one point he thought that there was an agreement with the Discretionary Review requestor but there was no agreement.
- The project will have little affect on the adjacent homes.
- He recently removed tall pines from his back yard because they were hazardous. This has provided a lot of sunlight to their neighbors.
- They just need more space and he hope that the Commission will approve their project.

ACTION: Hearing Held. Item continued to April 21, 2005 in order for Project Sponsor to hire an architect to present alternative designs and to continue to work with the neighborhood trying to reach an agreement on a design. Public Hearing remains open.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

18. 2004.1278D (S. YOUNG: (415) 558-6346)
1288 STANYAN STREET - east side between 17th Street and Belgrave Avenue; Lot 038 in Assessor's Block 1289 - **Request for Discretionary Review** of Building Permit Application No. 2004.08.03.0501S, proposing to construct a two-story horizontal addition at the rear of the existing two-story over garage, single-family dwelling. The proposal will also include modifications to the front facade of the building with changes to the existing roofline, front entry canopy, windows, and garage door. The property is located in an RH-1(D) (Residential, House, One-Family Detached) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve project

SPEAKER(S):**(-) Michael Federly – Discretionary Review Requester**

- He is not against development.
- He purchased this house in the 70's.
- The house next to him towers over his house and blocks a lot of sunlight.
- There is information that is inaccurate.
- He does not support the project because it is too large and too invasive.

(+) Steve Mitchell – Project Sponsor

- The purpose of the construction is to increase the living area because they have a growing family.

(+) John Maniscalaco – Project Architect

- He gave a general architectural description of the project.

ACTION: Did not take Discretionary Review and approved the project

AYES: Alexander, Hughes, S. Lee, W. Lee, Olague

NAYES: Antonini

ABSENT: Bradford Bell

19. 2005.0021D (R. CRAWFORD: (415) 558-6358)

1 PALO ALTO DRIVE (AKA 1 AVANZADA AKA 250 PALO ALTO) - Assessor's Block 2724 Lot 003 - **Mandatory Discretionary Review** of Building Permit Application Nos. 2004.11.05.8607 for installation of an emergency generator and pad with diesel fuel tank for KBHK television; application No. 2004.1220.1816 for installation of an FM antenna for KNGY radio, on the north leg at the third level of Sutro Tower and, application No. 2005.0125.3910 for installation of four receive only satellite dishes for KPIX TV-5. This project lies within the RH-1, (Residential, House, One Family) District and within a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and Approve with Conditions.

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

20. 2004.0853C (M. WOODS: (415) 558-6315)
2245-2247 UNION STREET - south side between Fillmore and Steiner Streets; Lot 030, in Assessor's Block 0539 - **Request for Conditional Use** authorization under Planning Code Sections 121.2, 303, 725.21, 725.38, and 725.53 to legalize office use on the second, third, and attic levels of an existing three-story plus attic building, in the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

Re: Continuance

Teresa Ray

- She encouraged the Commission to hear this item today.
- The person who asked for the continuance is out of town.
- This project has been properly noticed.

Margaret Titus

- She is speaking on behalf of Paul Armstrong.
- They submitted a detailed letter about this project.
- She requested that there be a continuance to discuss some of the concerns they still have and were outlined in the letter.

Re: Merits of the Project

(+) Benjamin Bendaire – Project Sponsor

- He knows that there was a letter in opposition and he submitted a response to that letter.
- Maintaining the property within its historical aspects has been very important to he and his wife.
- He was told that an office is not allowed on all floors.
- There has been an illegal use. He has brought this information to the department to try to fix this.
- The use that they propose is a quiet use that will bother no one.
- They are not proposing any addition to the structure. They just want to legalize the use.

(+) Teresa Rae

- She is available for questions.

(-) Margaret Titus

- There were various people who were going to speak but they had to leave.
- They wanted to continue this matter so that the project sponsor could talk to the owners of the building.

(+) Richard Warmer

- He lives on Green Street.

- The person who opposes the project approached him and tried to persuade him to also oppose the project. It seems that this person would like to have a tree removed because it blocks his view.

(+) John Phillips

- He lives next door.
- He supports the project. They are ideal neighbors.
- The use of the building has been commercial for many years.
- He has no objection to the project.

(+) Kate Phillips

- She really likes the neighbors as well as the tree so does not want to have the tree cut down.

ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell
MOTION: 16956

21. 2001.0772C (B. FU: (415) 558-6613)
3318 MISSION STREET - west side, between 29th and 30th Streets, Lot 003 in Assessor's Block 6635 - **Request for Conditional Use** Authorization under Planning Code Sections 712.38 and 790.84, to allow a residential conversion of the existing dwelling unit on the second level of a two-story building into a banquet hall and to relocate the existing unit to a new proposed third level in a NC-3 (Moderate-Scale Neighborhood Commercial) District with a 40-X Height and Bulk designation.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of February 3, 2005)

SPEAKER(S):

(+) Benjamin Felix – Project Designer

- He gave a general description of the project.

ACTION: Approved
AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
NAYES: Alexander
ABSENT: Bradford Bell
MOTION: 16957

22. 2005.0081T (P. LORD: (415) 558-6311)
CASTRO STREET AND UPPER MARKET STREET NEIGHBORHOOD COMMERCIAL DISTRICTS - Exemption of Certain Entertainment Permits from Conditional Use Process - **Consideration of an Ordinance amending the San Francisco Planning Code by amending Section 715.48 and Section 721.48** to provide that existing bars in the Castro Street and Upper Market Street Neighborhood Commercial Districts will be allowed to apply for and receive a place of entertainment permit from the Entertainment Commission without obtaining conditional use authorization from the Planning Commission if they can demonstrate to the satisfaction of the Entertainment Commission that they have been in regular operation as an entertainment use prior to January 1, 2004; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
Preliminary Recommendation: Adoption

SPEAKER(S):

(+) Amanda Kohn – Project Sponsor

- This legislation was brought from the Entertainment Commission to Supervisor Duffy's Office.

(+) Bob Davis

- When the Entertainment Commission came into being they determined what the definition of "entertainment" is.
- They began to define what venues had entertainment.
- The ordinance still requires that the public process will take place.
- He hopes that the Commission will approve this ordinance.

(-) Marilyn Amini

- This is the first hearing of a substantial Planning Code amendment.
- She read part of Section 302(b).
- Once this proposed amendment comes to the Planning Commission, there are steps that need to be followed.
- An issue that is under the jurisdiction of the Planning Commission should not fall entirely under the jurisdiction of the Entertainment Commission.

ACTION: Approved with the following amendment: Recommend that a Sunset of six months be included in the Conditions of Approval.

AYES: Alexander, Antonini, Hughes, W. Lee, Olague

NAYES: S. Lee

ABSENT: Bradford Bell

RESOLUTION: 16958

23. 2004.0458E (J. NAVARRETE: (415) 558-5975)
566 SOUTH VAN NESS AVENUE - Appeal of Preliminary Negative Declaration - The proposed project would include demolition of an existing 4,344 gross-square-foot, one-story retail/commercial building and rear storage building and construction of a five-story, 50-foot-tall mixed-use building which would contain 32 residential units on the second through fifth floors and retail/commercial use on the ground floor. The residential use would be 27,491 gross square feet (gsf) in area, and the retail/commercial space would be 4,344 gsf in size. The ground floor and basement levels would include 32 parking spaces designated for the residential use with ingress and egress from South Van Ness Avenue. The ground floor would contain the commercial space and residential lobby. The 12,253-square-foot site is located within the C-M (Heavy Commercial) zoning district and within a 50-X height and bulk district. The proposed project requires a conditional use authorization for residential use in the C-M district.
 Preliminary Recommendation: Uphold Mitigated Negative Declaration
 (Continued from Regular Meeting of February 24, 2005)

SPEAKER(S):

(-) Sue Hestor – Appellant

- She displayed a map of the area involving the NEMIZ.
- The Mission Anti-Displacement Coalition is concerned that there are housing projects being approved without really understanding anything.
- She displayed a summary of every housing live/work project since 1990.
- She displayed a map of the type of uses in the area surrounding the NEMIZ.

(+) Mathew Brennan

- This paint shop will be replaced with housing.
- The building on the site was the subject of a historic preservation report.
- There will be an increase of PDR for the space.
- The appellant seems to have the argument more with the Planning Department than with this project.

(+) Marge Benson

- This project could only have a positive impact on the neighborhood.

- The project is located where there is housing and PDR use.
- The PDR square footage is preserved and there will be 30+ units of median housing.
- The project sponsor has made numerous attempts to speak to the opposition but there has been no progress.
- She urged the Commission to approve this project.

(+) Joe O'Donoghue

- The appellant's arguments are opposing policies and not necessarily related to the project.
- This is about an EIR and not about policy.

ACTION: The Negative Declaration was upheld.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 16959

- 24a. 2004.0458C (M. SNYDER: (415) 575-6891)
566 SOUTH VAN NESS AVENUE - west side between 16th and 17th Street, Lot 005 in Assessor's Block 3570 - **Request for Conditional Use** authorization to allow 32 dwelling units in a C-M District, under Planning Code Sections 215. The subject property is within an C-M (Heavy Commercial) District, a 50-X Height and Bulk District, and a PDR/Housing Overlay Zone as designated in the Eastern Neighborhoods Interim Policies (Planning Commission Resolution 16727).
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of February 24, 2005)

SPEAKER(S):

(+) Matthew Brennan

- He displayed a rendering of the proposed project.
- This project goes beyond the requirements and is very family friendly.

(+) Paul Sauer

- The block where this project is going to be located has gone a long way to make improvements.
- The area is not very good.
- Having more people in the area would improve it.

(+) Gideon Kramer – Safe Clean Green

- He supports the project. It will be a win-win situation.
- The area is not very good and can only be improved with projects that have a steak in the neighborhood.

(+) Philip Lesser – Mission Merchant's Association

- This area is a mixed-use area.
- The area is finally coming alive.
- This project will greatly improve the area.

(+) Monica Baum

- She strongly supports the project.
- This project would interest people in home ownership.
- More people on the block would benefit the well being of safety.
- The current building has no architectural beauty at all.

(+) Micheal Nedler

- He supports this project as well.
- He is excited about new residents living there.
- There is a lot of prostitution and drug use in the area.

(+) Joe O'Donoghue

- There is a lot of obsolete PDR space.
- The new project will have be mixed use because this is what makes a City viable.

- Maybe some people will say that the units will not be affordable but it is still a good project for the area.

(-) Sue Hestor

- There are a lot of questions that have not been asked.
- The extra PDR space for the project will probably not be a PDR space but someone's office.
- There are no truck spaces in the building.
- The project has a very strange configuration.
- Paint storage is hazardous material. Special construction has to be done.
- Did Long-Term Planning look at this project?
- An auto paint store needs to be a part of an automotive district.
- Also, there is no [low] income housing at this project.

(+) Richard Johnson

- He has worked here in a commercial business for 15 years.
- There are a lot of problems with the area and it needs this project to revitalize it.
- This area should be made into a place where families want to make it their homes.

ACTION: Approved
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee
 NAYES: Olague
 ABSENT: Bradford Bell
 MOTION: 16960

- 24b. 2004.0458V (M. SNYDER: (415) 575-6891)
566 SOUTH VAN NESS AVENUE - west side between 16th and 17th Street, Lot 005 in Assessor's Block 3570 - **Request for an Exposure Variance** to allow eight of the proposed 32 dwelling units to face (or have exposure to) an open space that does not meet the specification requirements of Planning Code Section 140. The subject property is within an C-M (Heavy Commercial) District, a 50-X Height and Bulk District, and a PDR/ Housing Overlay Zone as designated in the Eastern Neighborhoods Interim Policies (Planning Commission Resolution 16727).
 (Continued from Regular Meeting of February 24, 2005)

SPEAKER(S): See Speakers for Item 24a.

ACTION: The Zoning Administrator closed the Public Hearing and granted the Variance with the following additional condition: should the project sponsor provide onsite affordable housing, no more than one (1) of the units shall be allowed to be in the units that were granted a Variance and shall not be on the lowest floor.

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Sue Hestor

Re: Housing

- There will be a workshop on housing shortly.
- Where is the land for affordable housing that was assigned in the Housing Element going to be built?
- Every time land is used for condos, this is not affordable housing.
- Staff does not track what is produced and what it is sold for so the Commission does not have an idea of what needs are being met.
- Staff needs to tell the Commission the details of housing projects.
- How will the decision that the Commission makes sorted out?
- Low-income people do reverse commutes.

Joe O'Donaghue

- The issue of where the land for housing is has been raised many times.
- The population today is less than in WWII.
- There is land in which to build but it has to be high density.
- It is possible to give more affordability via density bonuses.

Adjournment: 8:31 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 17, 2005.

SPEAKERS: None

ACTION: Approved with Corrections Read Into the Record:

- 1) On cover page, Commissioner Bradford Bell was absent and it states that she was not.
- 2) The header should show March 3, 2005 and not 2004.
- 3) Item 18, Project Architect's name is John Maniscalco.

AYES: Antonini, Hughes, W. Lee, Olague

EXCUSED: Bradford Bell

ABSENT: Alexander and S. Lee

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, March 10, 2005

1:30 PM
Regular Meeting

DOCUMENTS DEPT.

MAR 28 2005

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COMMISSIONERS PRESENT: Michael J. Antonini, Kevin Hughes, Sue Lee; William L. Lee,
Christina Olague

COMMISSIONERS ABSENT: Dwight Alexander, Shelley Bradford Bell and Kevin Hughes

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:35 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Craig Nikitas; Rick Crawford; Tina Tam; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.0876C (G. NELSON: (415) 558-6257)
2000 VAN NESS AVENUE - northeast corner at the intersection of Van Ness Avenue and Jackson Street; Lot 005 in Assessor's Block 0595 - **Request for Conditional Use** authorization pursuant to Section 209.6(b) of the Planning Code to install a total of six (6) antennas and related equipment cabinets on the roof of an existing 100-foot tall commercial structure, known as the Medical Arts Building, as part of AT&T's wireless telecommunications network within an RC-4 (Residential-Commercial Combined) District, the Van Ness Special Use District and an 80-D Height and Bulk District. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the proposal is a Preferred Location Preference 4 as it is a wholly commercial structure.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of February 10, 2005)
(Proposed for Continuance to April 7, 2005) Indefinite Continuance

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Antonini, S. Lee, W. Lee, Olague
ABSENT: Alexander, Bradford Bell, Hughes

B. COMMISSIONERS' QUESTIONS AND MATTERS

2. Consideration of Adoption – Draft Minutes of February 24, 2005.

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, S. Lee, W. Lee, Olague
ABSENT: Alexander, Bradford Bell, Hughes

3. Commission Comments/Questions

Commissioner S. Lee:

Re: Managing Calendar

- She would like a better understanding of how the calendars for the Planning Commission hearings could be better balanced.

Commissioner Antonini:

Re: Managing Calendar

- He agrees with Commissioner Sue Lee.

Zoning Administrator responded:

- In most cases, projects need to be noticed 30 days in advance before they are advertised on the calendars.
- Often, when a hearing date is closed because there are too many cases, some cases drop off for a variety of reasons, which could result in a very short calendar.

Commission Secretary responded:

- Also, when Commissioners continue items to other dates that could have already been closed because it was too full, often adds to the load of that hearing.
- It would always help if Commissioners could be prepared with their concerns and questions and ready to take an action [on the date the item is scheduled for hearing].
- Once she closes a hearing and cases drop off, because of noticing requirements, it is usually too late to add other cases—which could result in some light calendars like today.

Commissioner S. Lee:

Re: Managing Calendar

- Can some cases that don't require a 30-day notice be placed on shorter calendars?

Deputy City Attorney Kate Stacey responded:

- There is no advanced notice beyond the agenda that is required.

Zoning Administrator responded:

- The cases that don't require a notice can be placed on the calendar, but there might be certain parties that would appreciate a longer announcement period.

Commissioner Olague:

Re: Managing Calendar

- Is the backlog a result of the shorter calendars?

Zoning Administrator responded:

- On the most part the problem of backlog is the lack of staff.
- Over the past few months, there have been light calendars.

Commissioner W. Lee:

Re: Census

- Some time ago he asked for a briefing on the census.
- He requested that the Commission receive data regarding the language that is spoken in San Francisco. This ties into the City's request to access of records.

Zoning Administrator responded:

- He recalls receiving an email about this and will be responding to this request.

Commission Secretary:

- She reminded Commissioners that the Statement of Economic Interest is due April 1 and she will need their signed statements before this date.
- She thanked the commissioners who attended the training. The Commissioners that could not attend will receive a training video.

C. DIRECTOR'S REPORT

4. Director's Announcements

Re: Special Hearing on March 31, 2005

- Staff is preparing for a special hearing on this date to talk about the housing in downtown and who is occupying this.
- There is a list of very interesting speakers who will be giving presentations.

5. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS –

- Michael Garcia was recommended to fill Commissioner Harrington's seat at the Board of Appeals.
- He received a positive recommendation to the Board of Supervisors from the Rules Committee.

BOA –

Re: 1344 Bush Street – Regency Theatre

- He [the Zoning Administrator] had issued a determination a while back stating that an activity that wanted to move in seemed similar to an office. This decision was overruled. It was actually an art's activity.
- Ms. Sue Hestor requested that the Zoning Administrator request a rehearing and I have done so.
- There is no change in the project, just documenting of the office space that is in the building.
- The Board will take up this request on March 30, 2005.

Commissioner Olague:

Re: Health Impact Assessment

- She noticed in the advanced calendar this is to be heard on March 31, 2005.

Zoning Administrator responded:

- On the 31, 2005, the housing information will be first then at a time certain will be the Health Assessment.

Commissioner Olague:

- When the Commission hears reports about the Board of Supervisors, does the report include the Land Use Committee?

Zoning Administrator responded:

- Yes. The Land Use Committee did not meet this week.
- Next week, the Committee will discuss the inclusionary housing program along with the Mayor's Office of Housing.

Commissioner Antonini:

Re: March 31, 2005 Hearing

- It would be good to see exit interviews [from companies] who might have wanted to stay in San Francisco but couldn't.

Zoning Administrator responded:

- He has not been able to make contact with the Board of Appeal's President.
- He wanted time for the new member to be seated and address their backlog.
- He will then suggest a joint hearing. This might not take place for a month or more.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Jeremy Paul

Re: 496 Fair Oaks Street

- His wife is in the hospital and he can't stay for the call of this item.
- A couple purchased this house.
- The unit downstairs was legalized for a very specific purpose.
- He is surprised that this did not show on the record and that it continued beyond the special purpose.

E. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

6. 2004.1169C (C. NIKITAS: (415) 558-6306)
1251 THOMAS AVENUE - west side between Ingalls and Hawes Streets, Lot 030, in Assessor's Block 4807 - **Request for Conditional Use** authorization to operate a fenced vehicle storage yard and towing business as defined in Sections 223(t) & (u), pursuant to Section 249.15(b)(2), located on a site in an M-1 (Light Industrial) Zoning District and the Restricted Light Industrial Special Use District and a 40-X Height and Bulk district.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of March 3, 2005)

SPEAKER(S): None
 ACTION: Approved
 AYES: Antonini, S. Lee, W. Lee, Olague
 ABSENT: Alexander, Bradford Bell, Hughes
 MOTION: 16961

F. REGULAR CALENDAR

7. 2004.1268C (S. YOUNG: (415) 558-6346)
2118 UNION STREET - north side between Fillmore and Webster Streets; Lot 011 in Assessor's Block 0533 - **Request for Conditional Use** authorization under Sections 745.45 and 303 of the Planning Code to convert approximately 1,800 square feet of vacant commercial retail space located at the basement level of an existing two-story over basement commercial building, to a retail wine and gift store ("Wine Styles") in the Union Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District. No exterior modifications will be made to the existing building envelope.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of February 24, 2005)

SPEAKER(S):**(+) Larry Paul**

- He is available for questions.
- There is no intention to sell liquor.
- They will sell wine and gifts related to wine.

ACTION: Approved

AYES: Antonini, S. Lee, W. Lee, Olague

ABSENT: Alexander, Bradford Bell, Hughes

MOTION: 16962

8. 2004.1323C (R. CRAWFORD: (415) 558-6358)
4022-26 24TH STREET - north side between Noe and Castro Streets Assessor's Block 3656 Lot 010 - **Request for Conditional Use** authorization under Planning Code Section 161.(j) to develop two (2) dwelling units in an existing building without two (2) new off street parking spaces. The Project will add two new dwelling units to an existing building that now contains two dwelling units and ground floor commercial. This project lies within the 24th Street Noe Neighborhood Commercial District and within the 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions.

SPEAKER(S): None

ACTION: Approved with the following revised finding: Page 4, Item 6, Section C should read: The Project will add two small housing units to the City's housing stock.

AYES: Antonini, S. Lee, W. Lee, Olague

ABSENT: Alexander, Bradford Bell, Hughes

MOTION: 16963

9. 2004.1158D (B. FU: (415) 558-6613)
877 CAROLINA STREET - east side between 20th and 22nd Streets; Lot 026 in Assessor's Block 4097 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.16.9070 proposing to construct an one-story vertical addition to the existing one-story over garage single-family dwelling, within a RH-2 (Residential House, Two-family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve Project as Proposed.
(Continued from Regular Meeting of February 24, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 7, 2005

AYES: Antonini, S. Lee, W. Lee, Olague

ABSENT: Alexander, Bradford Bell, Hughes

10. 2004.0893DV (T. TAM: (415) 558-6325)
1223 BOSWORTH STREET - south side between Congo Street and O'Shaughnessy Boulevard, Lot 33A in Block 6706 - **Request for Discretionary Review** for Building Permit Application 2004.11.04.8581 to construct a new three-story-over-garage, single-family dwelling unit on a substandard size lot measuring 25 feet in width by 42 feet in length. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

SPEAKER(S):

(-) James Sanguinetti – Discretionary Review Requestor

- He and his family have lived in the house since 2002.
- The house is very small.
- He is a third generation San Franciscan and plans to live there for many years.
- The house does not have a garage.
- He objects to the house because the new four-story construction does not comply with the Planning Code or the area. He is very concerned with the height of the structure.
- His light and privacy will be severely impacted.

(-) Fran Olistad

- The overall building size and scale is another objection that she has with this project.
- She displayed a block and lot map of the street showing how the lot size is very small.
- She is asking that the 4th story be removed.
- Her house will be completely closed off because of this project.

(+) Steven Morgan – Project Architect and Owner

- The building is falling apart and he will be renovating it.
- He will be adding more rooms to the building.
- The site is up slopping and this is a challenge for him.
- The height portion of the house will be set back.
- The height has been lowered at the recommendation of the Zoning Administrator.
- To reduce 1 foot from the height would require the reconfiguration of the structure.
- He feels that what he is asking for is minimal considering the various constraints of the project.

MOTION: To take Discretionary Review and approve the project

AYES: Antonini and W. Lee

NAYES: S. Lee and Olague

ABSENT: Alexander, Bradford Bell, Hughes

RESULT: Motion failed.

ACTION: Hearing Held. Public hearing closed. Item continued to April 7, 2005 to allow the absent Commissioners the ability to participate in final action.

AYES: Antonini, S. Lee, W. Lee, Olague

ABSENT: Alexander, Bradford Bell, Hughes

11. 2004.1109D (D. JONES: (415) 558-6477)
496 FAIR OAKS STREET - northwest corner of Fair Oaks and 26th Streets, Lot 15 in Assessor's Block 6534 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all dwelling unit mergers, of Permit Application No. 2004.09.17.4457; proposing to merge three dwelling units to two dwelling units in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as submitted.

SPEAKER(S): None
ACTION: Did not take Discretionary Review and approved the merger.
AYES: Antonini, S. Lee, W. Lee, Olague
ABSENT: Alexander, Bradford Bell, Hughes

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Commission Secretary

- She read a letter from Ms. Lisa Charbonae regarding her being concerned that the Planning Commission meetings are no longer broadcasted on Television.

Commission Secretary responded:

- Although the Commission hearing is being recorded at the time we meet, one of the Board of Supervisor's committee meetings is also being recorded and broadcast [shown on television] on Thursday's at 1:00 p.m. Because of this we are pre-empted. The recording of our hearing is not broadcast until Thursday evenings and re-shown again over the weekend. **[After this statement was made, SFGOV TV called and informed us that we are not broadcast on television Thursday evenings. We are broadcast on Friday evenings at 8:00 p.m. and again over the weekend.]**

Adjournment: 3:34 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 24, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, S. Lee, W. Lee
ABSENT: Alexander and Olague
EXCUSED: Hughes and Bradford Bell

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, March 17, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

APR 12 2005

SAN FRANCISCO
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COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: Dwight Alexander and Sue Lee

THE MEETING WAS CALLED TO ORDER BY COMMISSION SECRETARY AVERY AT 1:35 p.m.

STAFF IN ATTENDANCE: Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Glenn Cabrerios; Geoffrey Nelson; Ben Fu; Jim Miller; Dan DiBartolo; Linda Avery – Commission Secretary

In the absence of both the President and Vice President, the remaining members of the Commission elected Michael Antonini to Chair the hearing.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.0738Z (P. LORD: (415) 558-6311)
REZONING OF ASSESSOR'S BLOCK 3787, LOTS 12, 13, 18, 24, 26, 28, 50, 160, 161 AND 165 THROUGH 218 FROM SLI (SERVICE LIGHT INDUSTRIAL) TO SSO (SERVICE/SECONDARY OFFICE) - Consideration of an Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification for Block 3787, Lots 12, 13, 18, 24, 26, 28, 50, 160, 161 and 165 through 218 from SLI (Service Light Industrial) to SSO (Service/Secondary Office) on the south-west corner of Townsend and Fourth Streets in the South of Market Area; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(Proposed for Indefinite Continuance)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
 ABSENT: Alexander and S. Lee

2. 2004.0738T (P. LORD: (415) 558-6311)
AMENDING SAN FRANCISCO PLANNING CODE SECTION 818 AND ADDING SECTION 818.32 TO ALLOW A FINANCIAL SERVICE USE IN AN SSO (SERVICE/SECONDARY OFFICE) ZONING DISTRICT - Consideration of an Ordinance amending the San Francisco Planning Code by amending Section 818 and adding Section 818.32 to Table 818 to allow a financial service use in and SSO (Service/Secondary Office) zoning district; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Proposed for Indefinite Continuance)

SPEAKER(S): None
 ACTION: Without hearing, item continued indefinitely
 AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
 ABSENT: Alexander and S. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption – Draft Minutes of January 13 and March 3, 2005 .

Minutes of January 13, 2005:

SPEAKER(S): None
 ACTION: Approved
 AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
 ABSENT: Alexander and S. Lee

Minutes of March 3, 2005:

SPEAKER(S): None
 ACTION: Approved with Corrections Read Into the Record:
 1) On cover page, Commissioner Bradford Bell was absent and it states that she was not.
 2) The header should show March 3, 2005 and not 2004.
 3) Item 18, Project Architect's name is John Maniscalco.
 AYES: Antonini, Hughes, W. Lee, Olague
 EXCUSED: Bradford Bell
 ABSENT: Alexander and S. Lee

4. Commission Comments/Questions

Commissioner Olague:

Re: Inclusionary Housing

- She attended the Land Use Committee of the Board of Supervisors.
- They were discussing the inclusionary zoning piece, but before that, formula retail did come up.
- She believes it's amending the Planning Code to prohibit formula retail uses in the North Beach Neighborhood Commercial District. She remembers seeing a memo come through to the Commission before, but she does not believe that the item ever came before them.
- She would like to have the status of this.

Zoning Administrator responded:

- He recalls that Supervisor Peskin introduced this some time in the Fall. At his request, it was put on hold and the 90 days expired.
- Supervisor Peskin then reactivated it but did not reintroduce it.

- Because it expired at the Supervisor's request, staff never brought it to the Commission.

Commissioner Olague:

- She asked if this case would be brought to the Commission in the future.

Zoning Administrator responded:

- No, it will go directly to the Board of Supervisors from the Land Use Committee.
- Normally, when an ordinance is introduced at the Board of Supervisors, the Planning Department has 90 days to bring it to the Planning Commission.
- The Planning Commission essentially has 90 days to act.
- If there is a delay because of environmental review taking longer, staff typically asks for an extension from the Supervisor. Often it is given.
- This question was put on hold by the supervisor then he reactivated it.
- It was not reintroduced. If it had been reintroduced, staff would have then had another 90 days.
- It was just brought to the Land Use Committee.
- He believes any supervisor can call legislation out that is on hold at the Board of Supervisor's Land Use Committee.
- That was done, it was heard.
- Staff did not comment on it because the Commission had not reviewed it. It was approved and sent on to the full Board.

Commissioner Olague:

- It is unfortunate that the Commission was bypassed on such an important piece of legislation that really does have an impact on amending the Planning Code.
- She did receive calls from members of the public who were concerned that this body never heard it.

Zoning Administrator responded:

- He will convey that to the supervisor.

Commissioner Olague:

Re: Board of Appeals Procedures

- She received various e-mails regarding the Board of Permit Appeals, specifically regarding mergers and demolitions that the Commission approved or disapproved and they end up before that body.
- She was wondering, what is the noticing that is given to members of the public regarding items that are appealed?

Zoning Administrator responded:

- He asked if the Commission Secretary could respond to that since she at one point was the Acting Executive Director of the Board of Appeals.

Commissioner Olague [restated her question]:

- Many of the items that the Commission is hearing in terms of demolition and mergers that are appealed to the Board of Appeals; what would be the noticing requirement for the public?

Commission Secretary responded:

- She would have to verify this with them or the City Attorney.
- To the best of my knowledge, the appeal comes from an action someone is dissatisfied with. Other than those involved in the matter, she is not aware of any requirement for notice.

- The project sponsor and all those that are involved in the case receiving constant notice/information about what is going on. She does not believe that any particular notice goes out as is required for many Planning cases.

Zoning Administrator responded:

- There is notice to people who have made a request on that particular case.

Commission Secretary:

- The people involved in the case do get noticed, but not the general public.

Commissioner Olague:

- Another comment that was made to her is that many of the decisions the Commission makes are overturned there. She was wondering what information the Board receives.

Zoning Administrator responded:

- The Commission has requested a joint hearing and this will be done.
- The Board receives copies of the case files that were before the Commission, and whatever appellants submit. Also, staff is in attendance for questions. What is not submitted is a brief because there is no staff to do it.

Commission Secretary:

- They also get the final decision of the body that took the action. If the Commission approved a motion, they'll get that final motion.

Commissioner Antonini:*Re: Land Issues*

- A year ago, there was the situation with legislation that was eventually forwarded by Supervisor Daly in regards to demolition of 20 or more units. Apparently there was a noticing problem. This case did not come to the Commission but went directly to the Board of Supervisors where it was vetoed and then became legislation.
- He is concerned with this procedure.
- If it is in the Charter, or wherever it is in the city's law, that land use issues can bypass the planning commission, it seems that this should be examined further. He would like to get an opinion [from staff or the City Attorney] if in the future a mechanism exists to remedy this.

C. DIRECTOR'S REPORT**5. Director's Announcements****Zoning Administrator reported:***Re: 1644 Diamond Street*

- This was a mandatory Discretionary Review for demolition and new construction.
- The Planning Department recommended demolition. The Planning Commission ultimately took Discretionary Review and did not approve the demolition. However, as often requested by staff, the Commission also took DR and approved the new construction with some changes in case the matter is appealed and the Board of Appeals overturns their decision.
- The Building Inspection Department informed him that he would be receiving an emergency order to demolish the building within the next day or so. As Zoning Administrator he had to sign off on it.

**6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS -***Re: Inclusionary Housing*

- The inclusionary housing ordinance was discussed basically on how to implement it, the number of units that had been built both by the policy and by the ordinance, and receive public comment.
- He got the feeling that there is a desire to revisit the inclusionary housing ordinance.
- There are ways to improve the implementation. One of the things that have been implemented, at the instigation of the Mayor's Office of Housing, is the interdepartmental working group on how it is being implemented.
- He sees code amendments addressing a variety of issues.

Re: The Harding Theater

- There was no discussion and no opposition to the project for a multi-unit condominium.

BOA - None

Commissioner Antonini:

- Did the discussion at the Board of Supervisors include public housing and below market rate housing or existing?

Zoning Administrator responded:

- It was purely inclusionary housing.

Commissioner Antonini:

- The Supervisorial vote for potential Commissioner Michael Garcia at the Board of Appeals was continued.

Commissioner Olague:

Re: In lieu fee

- One item that kept coming up was the in lieu fee. She believes that the Zoning Administrator mentioned that in the future this practice would not be supported.
- She needs more detailed information on this.

Zoning Administrator responded:

- There are two projects that were approved under the policies.
- One is on Haight Street. This project was approved with on-site housing. They sought to come in and pay the in lieu fee. The ordinance, as it is now, says you need to make that decision prior to taking out the building permit.
- The second item was 1598 Dolores Street that sought the same thing. Unfortunately, he cannot comment on this in detail. He is excused because he lives near there.
- The general facts are that the Commission approved the first one on Haight Street. The record will reflect the Commission disapproved 1598 Dolores. They were approved under slightly different policies.
- If another item that comes to him that is similar on 1598 Dolores then he would say the ordinance, as it is today, means you need to make a determination to build at the time of taking out the site permit. He would not allow the project to pay the fee at this time.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Pat Buskovitch*Re: demolitions*

- There is a building that is being demolished because it is so dangerous.
- It is important to get an individual entity to review these demolitions.

E. REGULAR CALENDAR

7. 2005.0007D (G. CABREROS: (415) 558-6169)
2506 UNION STREET - north side between Scott and Divisadero Streets, Lot 005 in Assessor's Block 0945 - **Request for Discretionary Review** of Building Permit Application 2004.07.15.8925 proposing to construct a three-story horizontal addition at the rear of the existing single-family residence in an RH-1 (Residential House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project.
(Continued from Regular Meeting of February 10, 2205)

SPEAKER(S):**(-) Jeremy Paul – Representing Discretionary Review Requestor**

- He gave a PowerPoint presentation on the details of the project, showing various views of the property.

(-) John McMahan

- He has lived at this location for many years.
- He and his wife participate in many community organizations.
- The only reason they are here is because they have exhausted their possibilities to come to a decision with his neighbor.

(-) Joan Fitzgibbon

- She is a lower level tenant of the property with her husband.
- She loves her apartment because of the light that comes in.
- The proposed project will greatly impact her life.
- She has never been asked about her opinion on the impacts of the proposed project.

(-) Brian Merica

- He is a tenant as well.
- The main reason many people are here today is because of the negative reduction of light he and the tenants will receive with this construction.

(-) Charles Brown

- He lives near the proposed project.
- He has lived there for about 20 years.
- There has been a lack of concern for the neighbors and the tenants.
- This project will block light to many people in the area.

(-) Barbara Morris

- She is a tenant in the lower level.
- She did not receive any indication that this project would go up.
- The project will block air and light but any view of the sky.
- If this project was brought to their attention earlier maybe they could have come to a compromise.

(-) Vanessa McMahan

- She lives in the bottom unit.
- With this construction there will be a drastic reduction of light.

(-) Jackie McMahan

- There are procedural issues that have not been followed with this project.
- There was no environmental review done, no story poles installed, the plans failed to show window openings, etc.
- She also has noticed that the plans show a kitchen to be installed that is not to code.

- The project states that it is a three-story home but it is actually a four-story home.

(-) Pat Buscovich

- He asked the Project Sponsor to build story poles. This was not done or they were never finished. But at the same time, they had already filed an application.
- There is very little light that will survive if this project goes through.

(-) Erin Gruz – San Francisco Heritage

- She submitted a letter stating that the project has historical significance.
- The project will greatly alter the facade of the structure.

(+) Alice Barkeley – Representing Project Sponsor

- She gave a general description of the project.

(+) John Ennis – Project Architect

- He did meet with the neighbors.
- He tried to sculpt the project away from the neighbor's windows.

(+) Mark Sherman

- He and his wife made several efforts to meet with the neighbors. They even had a cocktail party and invited the neighbors to discuss the project.
- There is a fence that he put up a few years ago because of the neighbor's puppy and our children.

(+) Susan Mohun

- The fence has been up for four years.
- She let the neighbors know that if there was a problem with the fence they should let her know--no one said anything.
- She showed the plans to the neighbors and mentioned that the way the project was designed was their ideal. However, they took the issues the neighbors mentioned and made revisions to the plans.

ACTION: Did not take Discretionary Review and approved the project.
AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
ABSENT: Alexander and S. Lee

- 8a. 2003.0253D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2001.03.07.3680 to demolish an existing two-story two-family dwelling (the project also proposes the construction of a new two-family dwelling) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and disapprove Demolition Permit
(Continued from Regular Meeting of February 24, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 21, 2005
AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
ABSENT: Alexander and S. Lee

- 8b. 2004.0682D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new construction to replace demolished housing, of Building Permit Application No. 2001.03.07.3684 for the new construction of a three-story, two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposed new building will contain two off-street parking spaces.

Preliminary Recommendation: Take Discretionary Review and disapprove Building Permit

(Continued from Regular Meeting of February 24, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 21, 2005

AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague

ABSENT: Alexander and S. Lee

- 9a. 2004.1050DV (B. FU: (415) 558-6613)
190-192 PARK STREET - south side between Holly Park Circle and Leese Street; Lot 057 in Assessor's Block 5720 - **Mandatory Discretionary Review**, under the Planning Commissions policy requiring review of dwelling unit merger, of Building Permit Application Nos. 2004.06.09.5888 and 2004.06.09.5892 proposing to merge the existing two-unit, two-story building at the front into one dwelling unit, and convert the rear building into a one-unit building, within a RH-2 (Residential House, Two-family) District and the Bernal Heights Special Use District with a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve Project as Proposed.

SPEAKER(S):

(+) Lydia Eli – Project Sponsor

- They purchased the two-unit house because their family was growing.
- They are struggling to continue living in San Francisco.
- She hopes that the Commission will approve the proposal to return the two unit home back to the original single family home.

ACTION: Do not take Discretionary Review and Approve Project

AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague

ABSENT: Alexander and S. Lee

- 9b. 2004.1050DV (B. FU: (415) 558-6613)
190-192 PARK STREET - south side between Holly Park Circle and Leese Street; Lot 057 in Assessor's Block 5720 - **Variance** request to be considered by the Zoning Administrator for off-street parking, exposure, and rear yard, for the project proposing to merge the existing two-unit, two-story building at the front into one dwelling unit, and convert the rear building into a one-unit building, within a RH-2 (Residential House, Two-family) District and the Bernal Heights Special Use District with a 40-X Height and Bulk District.

SPEAKER(S): See Speakers for Item 9a.

ACTION: Zoning Administrator closed the public hearing and granted the variance.

10. 2004.1264D (J. PURVIS: (415) 558-6354)
129 LEXINGTON STREET- east side, south of 18th Street; Lot 065 in Assessor's Block 3589 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all dwelling unit mergers, of Building Permit Application No. 2004.07.28.9961, proposing the conversion of a five-unit residential building into a four-unit building in an RH-3 (Residential, House, Three-Family) Use District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the merger.

SPEAKER(S):

(+) Fred Santiago – Project Sponsor

- He wants to make the unit a more livable place.

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague

ABSENT: Alexander and S. Lee

11a. 2004.1057D

(J. MILLER: (415) 558-6344)

1177 CALIFORNIA STREET - UNITS 806 AND 808 - southeast corner at Jones Street; Lots 123 and 124 in Assessor's Block 0253A - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling-unit mergers, of Building Permit Application No. 2004-09-30-5591 for the merger of two dwelling units into one, in an RM-4 (Mixed Residential, High Density) District, the Nob Hill Special Use District, and a 65-A Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve with conditions the Permit Application

SPEAKER(S):

(+) Kim Albany – Representing Project Sponsor

- It is not the intent of the project sponsor to expand his living quarters; he just wants to put a doorway between two living rooms so access to the units would be easier.

ACTION: Took Discretionary Review and approved with the following conditions:
1) the kitchens and the baths remain; 2) should the project sponsor decide to remove the door and return the units to independent units in the future, no Commission review would be required.

AYES: Antonini, Bradford Bell, Hughes, W. Lee

NAYES: Olague

ABSENT: Alexander and S. Lee

11b. 2004.1320C

(J. MILLER: (415) 558-6344)

1177 CALIFORNIA STREET - southeast corner at Jones Street, Lots 258 and (a portion of 259) in Assessor's Block 0253A - **Request for Conditional Use** authorization to create a café in vacant commercial space (Planning Code Section 238(b)), in an RM-4 (Mixed Residential, High Density) District, the Nob Hill Special Use District, and within a 65-A Height and Bulk District.

Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Amad Larizadeh – Representing Project Sponsor

- This project was transferred to him.

- He submitted a letter from the manager stating that they welcome the café.

- He is available for questions.

(-) Mark Balster

- The letter submitted by the manager had no authorization from the Board of Directors.

- They then composed a new letter stating that the Board of Directors takes no position on this matter and asked the Commission for guidance.

- They have significant concerns regarding security.

(-) Joan Parity

- She does not support the project because she has a concern with security.

(-) Luisa Hansen

- She is opposed to the project because of the same reasons as the previous speakers.

(-) Deborah Boile

- The main concern here is security.

(+) Barbara Ornellis

- She is the property manager.

- She hopes that the Commission will grant approval.

- She has been working to rent the commercial space.

(+) Jay Henry Glazier

- He is in favor of the coffee shop.
- He is anxious to have a place that is close where he can get a "real" breakfast.

(-) Annette Berger

- The place was never a coffee shop or a grocery store.
- There have been various types of uses in that location.
- She is concerned with security because the elevator is just across the hallway.
- Anybody walking on Jones Street can get through the door and onto the elevator.
- There is also a delivery problem. There will be deliveries going on all day.

(-/+) Steven Gum

- He is not either against the coffee shop or in support of it.
- He is just concerned about the safety of the building.

ACTION: Approved with the draft conditions as modified: delete paragraph 4 of the Conditions of Approval.

AYES: Antonini, Hughes, W. Lee, Olague

ABSENT: Alexander and S. Lee

NAYES: Bradford Bell

MOTION: 16964

12. 2005.0096C (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - **Request for Conditional Use** authorization to permit additional building square footage above the base floor area ratio of 6.0 to 1 for space devoted to affordable housing units (Planning Code Section 124(f)), in conjunction with construction of a previously approved new, 23-story residential building, in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts.
 Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Eric Tau – Project Sponsor

- He agrees with the continuance request.

ACTION: Without hearing, item continued to March 24, 2005

AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague

ABSENT: Alexander and S. Lee

13. (no case number) (J. MILLER: (415) 558-6344)
2428 BAYSHORE BOULEVARD AND 1635 CALIFORNIA STREET - Consideration of a proposal to provide six units of off-site Below Market Rate housing to meet conditions of approval for a new building at 1635 California Street. The off-site units for that project are proposed for provision in a new, all-affordable residential structure at 2428 Bayshore Boulevard, and would be comparable or larger in size and of similar quality to those in the California Street project.
 Preliminary Recommendation: Approval of the proposal

Re: Continuance

SPEAKER(S):

(+) Mathew Brannan – Project Sponsor

- He agrees with the continuance request.
- He would like to have this case continued to next week and have it at the top of the calendar. *[The Commission Secretary indicated that she would not promise that this would be at the top of the calendar.]*

ACTION: Without hearing, item continued March 24, 2005
AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
ABSENT: Alexander and S. Lee

- 14a. 2005.0140CEKV (D. DIBARTOLO: (415) 558-6291)
230-242 TURK STREET, "THE SALVATION ARMY TURK STREET CENTER" - north side between Leavenworth and Jones Streets, with a narrow segment through to Eddy Street; Lot 025 (formerly lots 024 and 006) in Assessor's Block 0338 - **Request for Conditional Use** authorization to modify a project approved by the Planning Commission on October 28, 2003 (Case 2002.1301C). As approved, the project was to construct an 8-story building with approximately 109 below market rate dwellings for adults in recovery and older foster care youth. The project included a gymnasium, swimming pool, chapel and multipurpose room on the ground floor, with social service offices and youth recreational areas and some studio dwellings on the second and third floors, with dwellings on the remaining floors, all built over an underground parking level accessed from Turk Street and containing at least 32 off-street parking spaces. As proposed for modification, the project would increase the number of dwelling units from 109 to 113 units and would add a fourth story to the approved three-story element at the rear of the lot. The roof at the rear would then be approximately 49 feet in height and contain approximately 3,000 additional square feet for a community space/dance studio. Concurrently, the Zoning Administrator will consider a request to modify previously granted variances. The subject property is in an RC-4 (Residential-Commercial Combined High-Density) District and located within the North of Market Residential Special Use District and an 80-120-T Height and Bulk District.
Preliminary Recommendation: Approval with conditions

SPEAKER(S):

(+) Stacey Estes – Project Coordinator

- They propose housing units as well as a comprehensive community center for the Tenderloin residents.
- They are very excited about this project because it will benefit the Tenderloin.
- Currently the site is old and dilapidated.

ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
ABSENT: Alexander and S. Lee
MOTION: 16965

- 14b. 2005.0140CEKV (D. DIBARTOLO: (415) 558-6291)
230-242 TURK STREET, "THE SALVATION ARMY TURK STREET CENTER" - north side between Leavenworth and Jones Streets, with a narrow segment through to Eddy Street; Lot 025 (formerly lots 024 and 006) in Assessor's Block 0338 - **Request for Variances**. The Zoning Administrator will consider a request to modify previously granted variances for rear yard and off-street parking requirements. As proposed for modification, the project would increase the number of dwelling units from 109 to 113 units and would add a fourth story to the already approved three-story element at the rear of the lot, both of which increase the required number of off-street parking spaces by 8 additional spaces. The modified project includes the same number of spaces originally approved (32), which is now 64 spaces under the required amount. The modified proposed addition, to be built above a previously approved element, obstructs the required rear yard. The subject property is in an RC-4 (Residential-Commercial Combined High-Density) District and located within the North of Market Residential Special Use District and an 80-120-T Height and Bulk District.

SPEAKER(S): See Speakers for Item 14a.

ACTION: Zoning Administrator closed the public hearing and granted the variances.

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 6:30 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 7, 2005.

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague

EXCUSED: Alexander and S. Lee

ABSENT: Alexander

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, March 24, 2005

1:30 PM

Regular Meeting

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COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, Sue Lee,
William L. Lee, Christina Olague

COMMISSIONERS ABSENT: Dwight Alexander

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:40 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Jim Miller; Sara Velve; Kate McGee; Matthew Snyder; Dan Sider; Mary Woods; Paul Maltzer; Sue Exline; Marshall Foster; Joy Navarrete; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2005.0198X (A. LIGHT: (415) 558-6254)
301 MISSION STREET - south side between Fremont and Beale Street, Lots 1 and 17 in Assessor's Block 3719. **Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and an exception to rear yard requirements (Section 134(d)).** The subject property is located within the C-3-O Zoning District as well as the 550-S and 400-S Height and Bulk Districts. The proposed project is to change the mix of uses and make minor changes to a portion of the building envelope on a previously approved mixed-use project, which was approved for 130,000 square feet of office space in a nine-story mid-rise building; 320 residential units and 120 extended stay hotel suites in a 58-story tower; 9,400 square feet of ground floor retail and 18,710 square feet of public and private open space contained within a base podium element; and four levels of below-grade parking. The previously approved project was so conditioned that if in the judgment and at the discretion of the property owner, the hotel market did not sufficiently justify the operation of the proposed hotel facility, the 120 extended stay hotel units would be authorized for conversion to an equal number of residential units. Therefore, the previously approved project was approved for a total of 440 dwelling units under specific conditions, all contained within the 58-story tower.

dwelling units under specific conditions, all contained within the 58-story tower. The modified project would eliminate the office and hotel uses, and would contain a total of 420 dwelling units, placing 54 of these units in the former 130,000 square-foot office building envelope, and 366 larger dwelling units would occupy the entire tower building envelope. The ground level retail space would be reduced to 7,900 square feet, and there would be approximately 6,700 square feet of public open space. The proposed residential and retail uses would be contained in substantially the same building envelopes as were approved for the previous mixed-use project, with minor changes to the mid-rise building facade and a rear yard exception required for the dwellings within it.
(Proposed for Continuance to April 7, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 7, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Alexander and Olague

- 2a. 2004.0571D (D.SIROIS: (415) 558-6313)
336 MUNICH STREET - west side, between Brazil & Persia, Lot 032, Assessor's Block 6074 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2004.06.04.5613, to demolish an existing single-family dwelling in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition
(Proposed for Continuance to April 7, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 7, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Alexander and Olague

- 2b. 2004.0572D (D.SIROIS: (415) 558-6313)
336 MUNICH STREET - west side, between Brazil & Persia, Lot 032, Assessor's Block 6074 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2004.06.04.5620, proposing to construct a three-story, single-family residential building with one off-street parking in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.
Preliminary recommendation: Do not take Discretionary Review and approve the new construction.
(Proposed for Continuance to April 7, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 7, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Alexander and Olague

3. 2005.0076T (D. SIDER: (415) 558-6697)
ESTABLISHING ADDITIONAL AFFORDABILITY REQUIREMENTS FOR SRO UNITS - Consideration of an Ordinance amending Planning Code Section 890.88 to define a Single Room Occupancy (SRO) unit as a unit that is affordable to very low income or extremely low income households and making findings of consistency with Planning Code Section 101.1 and the General Plan
(Continued from Regular Meeting of February 24, 2005)
(Proposed for Continuance to April 14, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to April 14, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Alexander and Olague

4. 2005.0092C (K. McGEE: (415) 558-6367)
465 WOOLSEY STREET - northwest corner of Woolsey and Goettingen Streets; Lots 15/16 in Assessor's Block 6118 - **Request for Conditional Use** Authorization to add a childcare facility for up to 45 children in an existing church, the Grace Lutheran Church, in an RH-1 (House - 1 Family) Zoning District and in a 40-X Height and Bulk District, per Planning Code Section 209.3(f).
Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to April 28, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to April 28, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Alexander and Olague

5. 2003.1185C (B. FU: (415) 558-6613)
3537 19TH STREET - south side of 19th Street between San Carlos and Lexington Streets, Lot 104, Assessor's Block 3596 - **Request for Conditional Use** authorization under Planning Code Sections 209.6(b) to install a wireless telecommunications facility consisting of three (3) panel antennas and related equipment on an existing publicly-used structure as part of Cingular Wireless' wireless telecommunications network on a Location Preference 1 (Preferred Location - Publicly-Used Structure) within a RH-3 (Residential, House, Three Family) Zoning District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of January 27, 2005)
APPLICATION WITHDRAWN

SPEAKER(S): None
ACTION: Without hearing, Application Withdrawn.

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption:

- Draft Minutes of Planning Director Subcommittee for January 20, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Antonini and S. Lee
EXCUSED: Bradford Bell

- Draft Minutes of Regular Meeting of January 20, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Alexander and Olague

- Draft Minutes of Regular Meeting of March 10, 2005

SPEAKER(S): None
ACTION: Approved

AYES: Antonini, S. Lee, W. Lee
EXCUSED: Hughes and Bradford Bell
ABSENT: Alexander and Olague

7. Commission Comments/Questions

Commissioner W. Lee:

Re: SB 1818 – Density Bonus

- He would like an update on this state bill.

Commissioner Hughes:

Re: Letter to the Board of Realtors

- A member of the public asked the Commission to request that staff write a letter to the Board of Realtors, which lays out the demolition policy.
- Next week he would like to ask staff about this. He mentions this today so that everyone can think about it.

Commissioner Antonini:

Re: Rincon Hill, Transbay and Mid-Market

- He was pleased with the Mayor's press conference on these issues.
- It would be instructive to have a list of the number of units in San Francisco that are either public housing or designated below market rate units.

City Attorney Kate Stacey responded:

- Commissioner Antonini, last week, asked a question regarding: What actions the Board of Supervisors send over to the Commission.
- The Board of supervisors sends any amendments of the Planning Code to the commission for review.
- Other actions are not required to be referred to the Planning Commission unless it is environmentally related that would fall under CEQA.
- A Supervisor could request input from the Planning Commission. This would be submitted to the Planning Department and then presented to the Planning Commission.
- Regarding interim zoning controls: the Board can take those actions without referral to the Planning Commission for input. The matter is referred over to the Planning Director under CEQA review but does not require action by the Planning Commission.

Commissioner Antonini:

- Can a Planning Commission make a request of the Board of Supervisors?

City Attorney Kate Stacey responded:

Yes.

C. **DIRECTOR'S REPORT**

8. Director's Announcements
None

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

Amit Ghosh reported:

Re: Land Use Committee

- The Committee heard the Transbay Terminal Redevelopment Plan.
- The amendments will be before the Finance Committee.
- The Land Use Committee recommended it to the full Board.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Jim Salinas

- They come to the Commission regularly to talk about responsible project sponsors.
- It is important to not let irresponsible contractors abuse workers.
- They also promote apprenticeship programs.

Azalia Merrill

- She spent several hours of research on a project.
- The City is faced with many people that are in opposition to projects that benefit the working community and these people at times do not even live in San Francisco.
- There are many people that have lived here for many generations and would like to continue living here.

Jeffrey Lievobits

- He thanked the Director and staff for moving the South of Market Rezoning forward.
- They have been working quite diligently to move this forward also.
- There are going to be people that will condemn the process but the process should move on because the intent is to bring in more people and retail to liven the streets, make opportunities to have jobs, etc.

Jose Morales

- He belongs to various neighborhood organizations in the Mission District.
- There is still abuse from the landlords regarding affordable housing.
- People are moving away from San Francisco.

E. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 1886 Mission Street

Brett Gladstone

- He is comfortable with the findings.
- He is asking that there be an expedited EIR because this started 4 ½ years ago.
- There has been a lot of money spent on this already.
- It would be good to have a date for the EIR.

Richard Ventura – San Francisco Hispanic Chamber of Commerce

- He is hoping that this project will move forward.
- He works at a technology center where there are many youth that walk around the area.
- This project could improve the area greatly, not only for the youth but also for everyone that lives in the area.

Judy Zorro – Mission Hiring Hall

- She works in the area.
- She is always looking for people to benefit from the apprenticeship program that she works for.
- This project would help the area greatly.

Phillip Lesser – Mission Merchant's Association

- This is a very high priority project in the Mission District.
- The project would create a safer area.
- He hopes the Commission will expedite the process.

Jose Moreno – Housing Action Coalition

- The coalition is determined to help this project move along.
- There will not be an environmental review if the historical rating is dropped.

Arthur Webb– Carpenter's Union

- He is concerned with affordable housing.
- There is a lot of construction work needed in the city and this project will help.

Brian Schmeltz – Carpenter's Union

- He is in favor of the affordable housing.
- This property needs to be upgraded because of it's historical importance.
- He is surprised that this process has gone on so long.

Giorgio Tejada – Carpenter's Union

- He was raised in the Mission District.
- Some areas in the Mission are not safe.
- This project would help improve the area.

Luis Santana

- He owns a business in the Mission District.
- If this project is approve he can employ a lot of construction workers.
- This area needs to be beautified, which will help create more jobs.

(Name unclear) – Mission Hiring Hall

- She works with many construction workers.
- If this project goes through there will be more jobs for the community. But the most important thing is that these workers will benefit from apprenticeship programs.

Toby Levine

- She lives in the Mission District.
- She agrees that the category (rating) for this project should be reduced.
- She would like to see the area improved and this project would help with that.

Azalia Merrill

- She searched miles and miles of microfilm regarding this project.
- She supports expediting the EIR.
- She hopes that the Commission will look over the material that she submitted regarding her research.

F. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

10. 2005.0128U (M. CORRETTE: (415) 558-6295)
1886 MISSION STREET - west side between 14th and 15th Streets, Lot 003 in Assessor's Block 3547 - **Appeal of Inner Mission North survey findings** - Following the Landmarks Boards' Public Review Process for Cultural Resource Survey findings, the Planning Commission must review written objections to the Inner Mission North Cultural Resource Survey Phase II (California Department of Parks and Recreation Survey Forms - DPR 523A and 523B) survey findings as presented by property owner. The Commission is requested to evaluate the owner's objection to the proposed California Historic Resources Status Code (CHRSC) assigned to the property at 1886 Mission Street. It should consider and adopt a resolution to either: 1) endorse the evaluation and the CHRSC rating that found the property to be individually eligible for the California Register (3CS), or 2) determine, based on historical evidence and evaluation criteria, an alternate CHRSC status code.
 Preliminary Recommendation: Adopt a resolution upholding the evaluation and Status Code of 3CS as recommended by the Landmark's Board.
 (Continued from Regular Meeting of March 3, 2005)
NOTE: On February 17, 2005, following testimony, the Commission closed the Public Hearing and passed a motion of intent to not endorse the CHRSC rating of 3CS and determined an alternate rating of 6L by a vote +4-2. Commissioners Alexander and Sue Lee voted no. Commissioner Bradford-Bell was absent.
NOTE: On March 3, 2005, the item was continued to March 24, 2005.

SPEAKER(S): None
 ACTION: Approved a Rating of 6L
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Alexander
 MOTION: 16966

G. REGULAR CALENDAR

11. 2005.0096C (J. MILLER: (415) 558-6344)
1160 MISSION STREET - northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - **Request for Conditional Use** authorization to permit additional building square footage above the base floor area ratio of 6.0 to 1 for space devoted to affordable housing units (Planning Code Section 124(f)), in conjunction with construction of a previously approved new, 23-story residential building, in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of March 17, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued to April 7, 2005
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Alexander

12. (no case number) (J. MILLER: (415) 558-6344)
2428 BAYSHORE BOULEVARD AND 1635 CALIFORNIA STREET - Consideration of and provision of advice to the Zoning Administrator regarding a proposal to provide six units of off-site Below Market Rate housing to meet conditions of approval for a new building at 1635 California Street. The off-site units for that project are proposed for provision in a new, all-affordable residential structure at 2428 Bayshore Boulevard, and would be comparable or larger in size and of similar quality to those in the California Street project.
 Preliminary Recommendation: Approval of the proposal
 (Continued from Regular Meeting of March 17, 2005)

SPEAKER(S):

(+) Matthew Brennan

- The project will provide all the benefits required.
- Both projects will be marketed at the same time.
- Both projects will be constructed by the same sponsor and with quality material.

(+) Joe O'Donaghue – Residential Builders

- The developer has a choice and has chosen to provide BMR housing offsite.
- What is important here is that if the offsite housing is equal to what is done on site.
- It seems that there are more benefits to have offsite housing.
- The developer has exceeded the standards.

(+/-) Sue Hestor

- The developer originally was here proposing his offsite units on Van Ness Street.
- Polk and California is a very intense transit area and is a middle-income neighborhood.
- She reviewed the packet and did not see that the MOH had made a determination on Bayshore Boulevard.
- Housing units at Van Ness and California have really good services.

ACTION: Endorsed Staff's Proposal
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Alexander

13. 2004.0905C (S. VELLVE: (415) 558-6263)
3011 STEINER STREET - west side between Union and Filbert Streets; Lot 004A in Assessor's Block 0535 - **Request for Conditional Use** authorization pursuant to Sections 145.2, 161(j), 186.1(b), 303, and 725.24 of the Planning Code to expand a nonconforming full-service restaurant (formerly Pane E Vino, proposed to be Terzo), eliminate one residential off-street parking space, and permit an outdoor activity area (dining in the rear yard area) within the Union Street Neighborhood Commercial District, 40-X Height and Bulk District.
 Preliminary Recommendation: *Approval* of restaurant expansion and elimination of residential parking with Conditions, and *disapproval* of outdoor activity area.

SPEAKER(S):

(+) Amad Mohazed – Project Architect

- The tenant had a difficult time leasing the commercial space.
- They decided to convert the garage for the restaurant to use.
- He has found proof that previously the garage was part of the restaurant.
- The neighbors have raised issues based on the past owners of the restaurant. The current owners have drafted a list of good neighbor gestures.
- He submitted letters of approval from the neighbors as well as various other entities.

(+) Laurie Thomas

- She will be the general partner of the restaurant.
- She has been involved in various businesses in San Francisco.
- There are a lot of people who are in support of this project.
- The location needs a lot of work and she will be investing in improving the space.

(-) Isaac Amato

- He has been living in the area for the more than 30 years.
- The area was one of the most dense restaurant uses.
- He is opposed to this expansion because it is next to a residential apartment complex.

(-) Lea Margulies

- She is opposed to the project. She is concerned with the noise the restaurant will make.

(-/+) Isabel Selby

- She is in support of the restaurant except for the outdoor seating area.
- Even with all the noise mitigation measures proposed, she is concerned with the noise.

(-) Norma Worth

- She is a resident of the area.
- She objects to the outdoor area.
- There will be other issues with the approval of this restaurant.

(-) Karl Kaussen – Property Owner

- His daughter is a tenant of the building and will be having a baby soon.
- It is his and his daughter's interest to keep the noise level down with this restaurant.

ACTION: Approved Staff Recommendation that consists of approval of restaurant expansion and elimination of residential parking with Conditions and disapproval of outdoor activity area.

AYES: Bradford Bell, Hughes, W. Lee, Olague

NAYES: Antonini and S. Lee

ABSENT: Alexander

MOTION: 16967

14. 2005.0055C (K. McGEE: (415) 558-6367)
59 30TH STREET (A.K.A. 801-807 SAN JOSE AVENUE) - southeast corner of 30th Street and San Jose Avenue; Lot 044 in Assessor's Block 6660 - **Request for**

Conditional Use Authorization to establish a small self-service restaurant, San Jose Cafe, in an RH-2 Zoning District and a 40- foot Height and Bulk District on a property that has a Limited Commercial Use (LCU). LCU restrictions are proscribed by Planning Code Section 186 which limits the commercial space to those uses outlined in the NC-1 Districts or within ¼ mile of a restricted use sub-district, in this case, the Mission Street Fast-Food Sub-district, Planning Code Section 781.5. In both cases, a small self-service restaurant (Planning Code Section 790.91) is limited to no more than 1,000 square feet in gross floor area, and requires Conditional Use Authorization.

Preliminary Recommendation: Approval with conditions

SPEAKEAR(S):

(+) Gus Cano – Project Sponsor

- He just wants to open an Italian restaurant and he is available for questions.

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

MOTION: 16968

15. 2004.0909D (M. SNYDER:(415) 575-6891)
153 PRENTISS STREET - east side between Powhattan Avenue and 22nd Street, lot 032 in Assessor's Block 5654 - **Request for Discretionary Review** of Building Permit Application No. 2004.05.21.4489 proposing to construct a rear and north side vertical and horizontal addition. The property is within an RH-1 (House,One-family) District, the Bernal Heights Special Use District and a 40-X Height and Bulk District .
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

(-) Joshua Burbank – Discretionary Review Requestor

- His concerns are not about views but about loss of light.

- There were no community meetings and there has been no attempt to try to involve the neighbors in this project.

- He talked to the Community Board and they recommended that he file for Discretionary Review.

- If the proper steps had been followed, they probably would not have to be here.

(-) Natasha Juelicher

- The project sponsor began construction, to their surprise, without a permit.

- She and her husband tried many times to come to an agreement with the project sponsor, to try to get an explanation of the advancement of the construction.

- After many failed attempts, they were not able to come to an agreement.

(-) Julie Young

- She has lived in the area for seven years.

- She is concerned that the project will diminish the amount of light coming in to her home.

(-) Adrian Ordiana

- He lives in the neighborhood.

- He is willing to work with the project sponsor but would suggest making the extension at the front of the house instead.

- He is not opposed to any kind of construction but would like to work out a way to have the least amount of light diminished.

(+) Reuben Wahili

- He apologized for starting the construction without the permits.

- He did speak with the Discretionary Review requestors regarding his project.

- It would be a financial burden for him to build in the front.

- He and his wife purchased this house but have not been able to move in yet. This is also a financial burden on them.

ACTION: Hearing Held. Item continued to May 26, 2005 in order to revise drawings and to continue working with the neighbors.
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Alexander

16. 2005.0171D (D. SIDER: (415) 558-6697)
130 TOWNSEND STREET - west corner of Stanford Street, Lot 008 in Assessor's Block 3788 - **Mandatory Discretionary Review** of Miscellaneous Permit Application Number MB0500372, a Zoning Referral from the California Department of Alcoholic Beverage Control (ABC). The proposal would change the use of a vacant approximately 6,000 square foot ground floor space to a full-service restaurant and bar (DBA "Tres Agaves") which would sell alcoholic beverages for consumption on-site. The balance of the structure (approximately 3,500 square feet) would be used as an art gallery. No physical expansion or increase in exterior dimensions of the existing building is proposed. Planning Commission Resolution Number 14844 requires a Discretionary Review hearing for all projects which involve a new or relocated liquor license or bar within the proposed Ballpark Vicinity Special Use District (BVSUD). The property is located in an SSO (Service / Secondary Office) District, the proposed BVSUD, the South End Historic District, and a 50-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): None
 ACTION: Without hearing, item continued to April 14, 2005.
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
 ABSENT: Alexander and Olague

17. 2004.0956D (M. WOODS: (415) 558-6315)
2258 JACKSON STREET - north side between Webster and Buchanan Streets; Lot 009 in Assessor's Block 0589 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2004.05.24.4651S, proposing to convert the building's authorized use from three dwelling units to two dwelling units, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do Not Take Discretionary Review and Approve the Building Permit Application as Proposed.

SPEAKER(S):
 (+) **Andy Scott**
 - He and his wife grew up in San Francisco.
 - He purchased his mom's house.
 - They are trying to expand their living space for their growing family.

ACTION: Did not take Discretionary Review and Approved the Merger
 AYES: Antonini, Bradford Bell, S. Lee, W. Lee, Olague
 NAYES: Hughes
 ABSENT: Alexander

18. 2004.1043E (P. MALTZER: (415) 558-6977)
SOUTH OF MARKET REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN CEQA FINDINGS - All, or portions of Assessor's Blocks 3703, 3725, 3726, 3731, 3732, 3753, and 3754; being generally the area bounded by Fifth Street to the East, Seventh

Street to the west, Harrison Street to the South; and Mission Street, Natoma Street and Stevenson Street to the north. The Commission will consider a resolution to **Adopt CEQA Findings** regarding General Plan Referral for the Amendments to the South of Market Redevelopment Plan.

Preliminary Recommendation: Approve the Draft Resolution Adopting CEQA Findings

SPEAKER(S): None

ACTION: CEQA Findings Adopted

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

MOTION: 16969

19. 2004.1043R (S. EXLINE: (415) 558-6332)
SOUTH OF MARKET REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN - A Finding Of General Consistency With The General Plan - All, or portions of Assessor's Blocks 3703, 3725, 3726, 3731, 3732, 3753, and 3754; being generally the area bounded by Fifth Street to the East, Seventh Street to the west, Harrison Street to the South; and Mission Street, Natoma Street and Stevenson Street to the north. Amendment of a Redevelopment Plan for the South of Market Redevelopment Project Area, as revised from a previous South of Market Earthquake Recovery Area, and finding said amended Redevelopment Plan to be generally consistent with the San Francisco General Plan.

Preliminary Recommendation: Find in Conformity with General Plan

SPEAKER(S): None

ACTION: Found to be in Conformity with the General Plan

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

RESOLUTION: 16970

- 20a. 2000.1081 EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a **Motion of Intent to Initiate Amendments to the General Plan** that revises the Rincon Hill Area Plan.
 Preliminary Recommendation: Adopt the Motion of Intent to Initiate Amendments to the General Plan.

SPEAKER(S):

April Veneracion – South of Market Community Action Network

- She is concerned with the development process of the project.
- There are issues of housing affordability. The analysis of the EIR should be used.
- All Inclusionary housing should be done within the district.
- There is not enough information on the number of affordable units to be built.

Angelica Cabande – South of Market Community Action Network

- In December of 2004 they submitted comments but they have not received any response from the Planning Department.
- There is concern about displacement of businesses and residents because of the high cost of housing.

- She recommended that the Commission not approve the documents.

Chris Durazo – South of Market Community Action Network

- She realizes that the discussion is about initiation but she is concerned that this initiation will not include information on the housing linkage.

- She displayed a map of the South of Market Neighborhoods/Planning Areas explaining that there are areas that have impacts.
- She is working to have a healthy neighborhood as well.
- She does not support the amendments proposed.

Steve Vettel – Morrison and Forrister

- He recommended that the Commission recommend the amendments.
- He supports the initiation.

ACTION: Approved Initiation
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander
MOTION: 16971

- 20b. 2000.1081 EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a **Motion of Intent to Initiate Amendments to the Planning Code** consistent with the Rincon Hill Area Plan.
Preliminary Recommendation: Adopt a Motion of Intent to Initiate Amendments to the Planning Code text.

SPEAKER(S): See Speakers for Item 20a.
ACTION: Approved Two Motions of Initiation for Planning Code Text Changes
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander
MOTION: 16972
MOTION: 16973

- 20c. 2000.1081 EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a **Motion of Intent to Initiate Amendments to the Zoning Map** consistent with the Rincon Hill Area Plan.
Preliminary Recommendation: Adopt a Motion of Intent to Initiate Amendments to the Zoning Map.

SPEAKER(S): See Speakers for Item 20a.
ACTION: Approved Initiation
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander
MOTION: 16974

21. 2003.1152E (J. NAVARRETE: (415) 558-5975)
329 BAY STREET - **Appeal of a Preliminary Mitigated Negative Declaration.** The project site is on the south side between Mason and Powell Streets, with street frontage also on Vandewater Street, on Lot 036 in Assessor's Block 0041. The proposed project is the demolition of an existing one-story, 8,550 square-foot retail building, and the construction of a 40-foot tall four-story building that would contain 21 residential units, approximately 2,000 square feet of ground level retail, plus a one-level basement garage with 21 spaces with access from Vandewater Street. The approximately 39,000 gross square-foot building would cover the 8,640 square-foot site. The ground floor retail space would face Bay Street. Pedestrian access would be from Bay and Vandewater Streets. One mature street tree would be removed on the Vandewater Street frontage of the site and replaced with two new street trees. The site is zoned C-2 (Community Business

District), in the Northern Waterfront Special Use District #2, and a 40-X Height and Bulk District. The project would require a Variance from *Planning Code* rear yard requirements.

Preliminary Recommendation: Uphold Mitigated Negative Declaration

SPEAKER(S):

Re: Continuance

Sue Hestor

- There has been a difficult time getting the main project before the Commission.
- The neighbors of the project want to get this hearing before the Commission but they cannot file for a Discretionary Review without there being an actual project.
- Everything should be heard together so she recommends that this be continued to some time in April.

David Cincotta

- There is no reason to delay any action or decision today.
- All the issues dealing with the tree can be discussed with regard to the permit and the Variance.

NOTE: *Motion to continue to April 14, 2005 did not receive a second and did not move forward for the vote.*

Re: Point of Clarity

Sue Hestor

- The permit has been issued so it is impossible to file a Discretionary Review.
- It is important to discuss all aspects of the tree at one time.
- This is not an abnormal request. It is a natural process.

Re: Merits of Project

Catherine Petrin – Appellant

- She is representing many other neighbors who could not be here today.
- The neighbors did not oppose the project. They support the Negative Declaration issued in 2004.
- If the project would reflect the information of the first Negative Declaration, they would not be here.
- She displayed a block and lot map showing the location of the project.
- She displayed photographs of the tree in question.
- There are certified arborists that state that the tree still has a long life. The tree only suffers from a lack of maintenance.
- The project sponsor has not maintained or pruned the tree.
- She asked the Commission to help preserve this historic tree.

Wendy Hampton – Vandewater Neighbors

- The Planning Department has not done a normal process of investigation for this type of project but is basing its findings on the recommendation of an arborist.
- If this Negative Declaration is approved, the neighbors will protest against the project and the Variance decision.
- This project should accommodate Vandewater's unique character

Stan Lyon

- The rear yard is related to saving the tree.
- He is puzzled. When the developer presented the project to a neighborhood group, he stated that the tree would be preserved.
- If this were the case, the project would have been moved forward with no damage to the roots of the tree.

Carolyn Blair – Tree Council

- They would not be here if the proposal to protect tree would have been accepted.
- They hired unbiased arborists to make a determination on the tree.
- She asked the Commission to follow through with their requirements to preserve trees.

(+) David Cincotta – Project Sponsor

- He understands the resident's concerns about the tree.
- This is not the process to deal with this issue. None of the speakers addressed the Negative Declaration.
- In order to protect the tree it would need 30 feet of clear space.
- The City's arborist determined that the tree was in bad condition.
- The tree has nothing to do with the Variance.
- The tree does not satisfy the mid-block open space.
- The issues here have to deal with the Environmental Impact report.
- The decision has been delayed for five months already.
- The tree is dangerous even if the project did not go forward because it has significant decay.

ACTION: Negative Declaration Upheld
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Alexander
 MOTION: 16995

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Deborah Densler

Re: Dangerous Sidewalks and a Residential Hotel Task Force

- She is concerned that there are tree roots causing parts of sidewalks to rise.
- She fell near the Gough Street area because of this.
- She is wondering if a task force was formed for residential hotels.

Commissioner Olague responded:

- She recommended that Ms. Densler speak to the assistant of Supervisor Tom Amiano regarding this.

Sue Hestor

Re: Notice for C2 Projects

- There is no notice for projects in these areas and she is concerned about this.
- Staff should pay attention to their problems and recommend changes.
- Supervisor Peskin will take an interest of this because a lot of people cannot be deprived of this information.

Adjournment: 7:24 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 21, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander and Bradford Bell

SAN FRANCISCO PLANNING COMMISSION

Special Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, March 31, 2005**

**3:00 PM
Special Meeting**

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MAY 17 2005

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COMMISSIONERS PRESENT: Michael J. Antonini, Kevin Hughes, Sue Lee, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: Dwight Alexander and Shelley Bradford Bell

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:35 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Amit Ghosh; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. SPECIAL CALENDAR

(A. GHOSH: 415-558-6282)

A workshop to discuss who is occupying newly constructed residential buildings in the City's central area. A number of experts will discuss rentals and for sale occupancies. The public is welcome.

PRESENTERS:

Paul Zeger – Pacific Marketing Associates

- He has been in this business since 1986.
- Since then, he has participated in 150 different residential developments--about 100 of those in and around the San Francisco area.
- One of the unique characteristics of his company is that because they are not developers, they are not representing one particular project but a whole range of projects that are taking place around San Francisco.
- They first communicate with the buyer and their particular preferences of what they would like to buy, where they would like to live, how they would like it.
- Then they communicate with the bankers who define what, in fact, one can afford to buy as far as product.
- The third person they communicate with is the builder--what one can afford to build and how can they deliver the product.
- The last component is the City and the Commission on where these products/homes can be built, etc.

- San Francisco is a unique city because it is geographically defined and the ability for expansion is very limited.
- As a company they have specialized in urban infill and have participated in much of the new high-rise condominium development as well as projects that are going on in other locations.

John Stewart – John Stewart Company

- His company has been around for 27 years.
- They have 1,100 people and five offices.
- They manage an inventory of about 24,000 units in the State of California.
- In the Bay Area, they manage about 12,000 units and in San Francisco they have about 6,000.
- Their clients consists of seniors, commercial, condominiums, upper end cooperatives and low and moderate units, tax credits, etc.
- In San Francisco they have 45 complexes, 6,600 units. Of the 45 complexes, 29 are affordable.
- They work with two "care not cash" properties and have seven in total that are under the Department of Public Health, and three under the Department of Human Services.

Eric Harris – Signature Properties

- They are a privately held company located in Pleasanton.
- They have been in business since 1983. Over the last 22 years they have built about 5,000 dwelling units.
- Their primary market is in the Bay Area, but they have recently expanded into the Sacramento area.
- One of the keystone principles of his company is to build units or housing that are going to be ultimately an integral part of the community.
- Signature Properties was the first residential project in Mission Bay to come out of the ground.
- What Signature did was a very thorough market analysis to determine what the needs were--what the desires of future homeowners would be like if they relocated in the areas of South of Market and Mission Bay.
- After doing the market analysis they discovered that there is an overwhelming demand for two-bedroom or two-bedroom plus units. In their first project, they have approximately 90% two-bedroom or two-bedroom plus units and about 10% one bedroom or one bedroom plus units.
- The units ranged from small one-bedroom units of about 750 square feet, all the way up to their standard flats of about 1,400 square feet.
- From their market analysis they found there was a tremendous demand for family housing. A substantial portion of the projects they are proposing for the near future will have a significant number of three and four bedroom units. They feel that this is indicative of that area.

NOTE: Amit Ghosh read into the record a report from Mr. Bill Whitty who was not able to attend. His company, Related Properties, owns the high-rise on Third and Mission Streets. The report gave percentages of how many units are below market and how many are market rate.

SPEAKER(S):

Steven Chester – Local Homeless Coord. Board

- He has been living in San Francisco since 1997
- San Francisco has always had an intense controversy on housing issues.
- He is concerned that there is not enough housing for low-income people.
- This is his adopted home and he wants to stay in San Francisco for the rest of his life.
- It is important to concentrate on the 10-year plan.

Robert Pender – Park Merced Residents Association

- There is a Mission Valley developer that wants to build about 150 apartments on Brotherhood Way. He is supporting this developer.

Eric Quesada – Mission Anti-Displacement Coalition

- The development that is taking place in San Francisco is not filling the needs of the residents.
- There should be more creative ways to fund housing for people who need it.
- It's the Commission's responsibility to say no to projects if they do not meet the needs of the people.

Chris Durazo – SOMEKAN

- This information should be filtered through MOH (Mayor's Office of Housing).
- She was interested in all the statistics presented, but all the areas that were spoken about are so isolated.
- She hopes that this cross section does not continue.
- There are a lot of statistics given for demographics, but not all the information was presented.

Jose Morales – SFTU, MAC

- The environmental report must include neighbors needs, create better communities, analyze what matters most in the communities-- pedestrian safety, local businesses, etc.
- He thanked the Commission for protecting his affordable housing unit.
- He has been working with MAC in helping to preserve affordable housing.
- More affordable housing is needed for seniors. Ellis Acts should be stopped.

Lou Blazej

- He thanked interim Director and Dr. Amit Ghosh for putting this special meeting together.
- He is working with a lot of private developers who want to address affordability and diversity.
- The code should be amended to allow 12 or 15 percent on a square footage basis in order to provide more affordable housing.
- The goal is to have more affordable housing.

Dick Millet – Potrero Boosters

- There is no risk when it comes to housing because everything gets sold.
- The City should stick to one to one parking.
- There is a lot of information that the speakers did not mention like crime, public open space, etc.
- Public open space is going to be needed.

Jeremy Nelson – Transportation for a Livable City

- It is great that this hearing was held.
- He hopes that this is the first word and not the last word.
- A monthly session on the future of downtown would be ideal.
- Staff, MTA, etc. should be the first to be the presenters.
- He hopes the Commission will not use the information from the presenters as policy.
- Price and affordability are very important with regard to parking decisions.

Sue Hestor

- There was not enough discussion on what are the needs of the Housing Element.
- How much of the ABAG goals are given?
- The Planning Department has stopped [issuing] housing data.
- She submitted a chart that gives housing data, which she compiled herself from Department information.
- It is important to find the needs of people and base the housing information on them.
- There are computers programs that help to find the data. Computers should be integrated through the respective Departments to compile this data.

B. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been

reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

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- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Chris Durazo

Re: Workshops

- The workshops should not be used to influence the analysis of certain projects.
- If the Commission is going to use workshops, she hopes that the information includes financing.
- If Trinity Plaza is going to be used as an example then the interested parties should be included as well.

Jose Morales

- There should be some public benefit incentive in zoning when something is being built.
- Does the City want to preserve affordable housing or is it going to be destroyed?
- The Senior Action Network can speed up the law and the regulations.

Adjournment: 5:23 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 12, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, April 7, 2005

1:30 PM

Regular Meeting

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MAY 13 2005

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COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, Sue Lee, William L. Lee, and Christina Olague

COMMISSIONERS ABSENT: Dwight Alexander

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:52 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Kelley Amdur; Craig Nikitas; Paul Maltzer; Amit Ghosh; Dan Sider; Dan DiBartolo; Geoffrey Nelson; Dan Sirois; Mary Woods; Elaine Tope; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2004.0893DV (T. TAM: (415) 558-6325)
1223 BOSWORTH STREET - south side between Congo Street and O'Shaughnessy Boulevard, Lot 33A in Block 6706 - **Request for Discretionary Review** for Building Permit Application 2004.11.04.8581 to construct a new three-story-over-garage, single-family dwelling unit on a substandard size lot measuring 25 feet in width by 42 feet in length. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

NOTE: On March 10, 2005, the Commission voted to Take Discretionary Review and Approve the Project. The motion failed by a vote of +2-2; Commissioners Alexander, Bradford Bell and Hughes were absent. The item was continued to April 7, 2005, to allow the absent Commissioners the ability to participate in final action.

NOTE: On March 10, 2005, the Commission continued this matter to April 7, 2005, to allow absent Commissioners the opportunity to participate in final action. This item was unfortunately left off the April 7, 2005 calendar through Administrative error. Notice is hereby given that this matter is now continued to April 21, 2005

SPEAKER(S): None

ACTION: The Commission Secretary read the above note into the record. The Commission took no action.

1. 2003.0869E (J. NAVARRETE: (415) 558-5975)
88 FIFTH STREET - THE OLD U.S. MINT - Appeal of Preliminary Mitigated Negative Declaration - The proposed project is the rehabilitation plus seismic upgrade and addition to the United States Old Mint located at 88 Fifth Street in downtown San Francisco (Assessor's Block 3704, Lot 11). The existing three-story plus an occupied attic 99,921-gross-square-foot (gsf) building would be retained, and the first floor courtyard enclosed in 1973 for offices would be removed, (a deduction of 4,336 gsf), and additional circulation bridges, stairs and an elevator (addition of 2,642 gsf) would be added within the existing 4-story courtyard. The existing attic would be expanded on the roof along the south side of the courtyard to create a museum gallery (an addition of 1,554 gsf) with a view of the city skyline to the south. The courtyard removal and additions of bridges and roof gallery would result in an overall reduction of gsf, for a total floor area of 99,788 gsf. The building would include 79,957 square feet if usable space total including: 36,326 sf of City History Museum space, 2,082 sf of Museum office space, 2,045 sf of museum back of house space, 2,044 sf of museum retail, and 3,336 sf of museum theater space. Tenants in the building would be the 8,153 sf Gold Rush and Money Museum, 2,492 sf of small retail lease spaces, and 6,360 gsf of restaurant space and cafe. 3,987 sf would be used for the San Francisco Visitor Center, and the remaining 11,108 sf would be circulation, toilets and support spaces ancillary to the museum use. The project would include closure of Jessie Street to vehicles, between Mint and Fifth Streets, to be used for outdoor restaurant seating. The project site is approximately 47,515 sq. ft., is zoned P (Public) within a 90-X height and bulk district, and within the Mid-Market St. Revitalization and Conservation District. Transaction document approvals would be required from the Board of Supervisors, and the Landmarks Preservation Advisory Board would require a Certificate of Appropriateness.
Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of March 24, 2005)
(Proposed for Continuance to April 28, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 28, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

2. (L. AVERY: (415) 558-6407)
PLANNING COMMISSION RULES AND REGULATIONS - CONSIDERATION OF AMENDMENT: Article IV, Sections 3 & 6 to address notice and voting; add a new Section 7 to address jurisdiction; renumber remaining section of Article IV.
(Proposed for Continuance to April 21, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to April 21, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

3. 2004.0858C (D. DiBARTOLO: (415) 558-6291)
766 VALLEJO STREET - north side between Powell and Stockton Streets; Lot 043 in Assessor's Block 130 - **Request for Conditional Use Authorization** pursuant to Section 722.83 of the Planning Code to install and operate a wireless telecommunication facility for AT&T Wireless Service, roof-mounted on the existing building comprising a parking garage and police station. Under the City and County of San Francisco's Wireless Telecommunication Services (WTS) Facilities Siting Guidelines, the property is a Preferred Location Preference 2, as a co-location site of previously approved antenna installations. The proposal is to install six panel antennas at three different locations on the roof of the approximately 67-foot high building. Related equipment would be placed on the fourth floor level within the parking garage a basement storage area. The property is within the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Continued from Regular Meeting of February 3, 2005)
(Proposed for Continuance to May 12, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to May 12, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander
4. 2004.0220E. (N. TURRELL: (415) 558-5994)
1840 WASHINGTON STREET - Assessor's Block 0599, Lot 008 - **Appeal of Preliminary Mitigated Negative Declaration**. The proposed project involves the construction of an approximately 45,238-gross-square-foot (gsf), eight-story, 80-foot-high residential building, which would include about 31,868 gsf of residential use (29 dwelling units), and 13,370 gsf of parking (35 off-street parking spaces). The proposed project would also include the demolition of an existing 7,500 gsf, one-story-plus-mezzanine building formerly occupied by Teevan Restoration. The approximately 7,021-square-foot (sf) project site is located mid-block on the north side of Washington Street between Van Ness Avenue and Franklin Street. The site is zoned RC-4 (Residential-Commercial Combined District, High Density) and is in the Van Ness Special Use District, and an 80-D height and bulk district. The proposed project would require conditional use authorization for new construction exceeding 40 feet in height in the Van Ness Special Use District, and a variance for one unit, which would not meet the dwelling unit exposure requirement.
Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration
(Proposed for Continuance to May 12, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to May 12, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander
5. 2004.1158D (B. FU: (415) 558-6613)
877 CAROLINA STREET - east side between 20th and 22nd Streets; Lot 026 in Assessor's Block 4097 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.16.9070 proposing to construct a one-story vertical addition to the existing one-story over garage single-family dwelling, within a RH-2 (Residential House, Two-family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve Project as Proposed.
(Continued from Regular Meeting of March 10, 2005)
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Without hearing, item continued indefinitely.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption:

- Draft Minutes of Regular Meeting for February 3, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, S. Lee, Olague
EXCUSED: Hughes and W. Lee
ABSENT: Alexander

- Draft Minutes of Regular Meeting for February 17, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

- Draft Minutes of Executive Session for February 17, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
EXCUSED: Olague
ABSENT: Alexander

- Draft Minutes of Regular Meeting of March 17, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, W. Lee, Olague
EXCUSED: S. Lee
ABSENT: Alexander

7. Commission Comments/Questions

Commissioner Antonini:

Re: Planning Director

- They have received a lot of resumes and are conducting a lot of interviews for the position of Director.

Commissioner W. Lee:

Re: 55 Natoma

- He received a call on this project that was demolished.
- Does this project have state jurisdiction or local jurisdiction?
- There is construction going on but the public believes that the project should have gone through local departments.

Zoning Administrator Responded:

Staff will look into this.

Commissioner Hughes:

Re: Board of Realtors

- He would like to know if there is consensus of the Commission to think about whether or not the Commission should direct staff to communicate in written form to the Board of Realtors our request that they notify buyers of properties--where applicable--if they fall under the requirements of the exclusionary threshold.
- A couple of weeks ago, he had indicated that he would like his fellow commissioners to think about this since properties that fall within the threshold of the demolition policy since they should disclose this information to potential buyers so that people who do purchase properties that are subject to the demolition policy go in with their eyes open.

Commissioner Sue Lee:

Re: Board of Realtors

- She recommended that staff and Commissioners meet with the representatives of the Board of Realtors to discuss this.

NOTE: Commissioner Antonini, Olague, Hughes are in agreement with Commissioner Sue Lee.

Commissioner Olague:

Re: Health Assessment

- Will this be scheduled in the future?

Interim Director responded

- This will be scheduled on April 21, 2005.

Commission Secretary responded:

- She recommends a noon workshop.

Commissioner Olague:

Re: Bloomingdale's

- She would like a briefing on this project.

Interim Director responded:

- Staff can organize a representative to come and give a status report.

Commissioner Olague:

- On Tuesday, at the Board of Supervisors, Supervisor McGoldrick introduced legislation on Better Neighborhoods.

Interim Director responded:

- This was just introduced on Tuesday so staff will look into this.

Commissioner W. Lee:

Re: Transbay Terminal

- He would like a briefing from the City Attorney on the Transbay Terminal.
- Was there any exposure on this?

City Attorney Kate Stacey Responded:

- Because they don't have a written decision from the judge yet, they are not certain of the exact terms of the decision.
- Based on the comments and questioning that went on in court on Tuesday, the attorney had four concerns about the EIR.

- One was the description of the environmental setting since it didn't include the Natoma project.
- Another issue was that of the analysis. The EIR didn't contain an analysis of a possible project that would include both Transbay Terminal and the housing project at 80 Natoma.
- There were questions about the cumulative impacts analysis.
- And fourth, the EIR could have included more analysis of the project's impact on housing in San Francisco.
- As a separate matter, the judge also was concerned that the Board of Supervisors did not have a fully fair and unbiased hearing on the matter.
- Those are the issues that were raised in court on Tuesday.
- They haven't seen a written order yet from the judge. They will know more when they get that.
- Her office was surprised and disappointed by the ruling.

Commissioner Bradford Bell:

- She requested a briefing after the City Attorney has the ruling from the judge.

C. DIRECTOR'S REPORT

8. Director's Announcements

None

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS –

Re: Medical Marijuana Moratorium proposed by Mayor Newsom

- This was put in place on April 1, 2005. There will be a hearing on April 25, 2005.

- The Planning Department has been asked to prepare a report.

- The City believes that it is an appropriate use but there are concerns regarding nearby uses.

BOA – None

10. EPS Associates presentation of findings from an analysis of the supply and demand for PDR (production, distribution, repair) space in the City's eastern neighborhoods.

Darren Smith – EPS Associates

- Gave a PowerPoint presentation on the Eastern Neighborhoods.

James Busbacker – EPS Associates

- This has been an ongoing issue.

- She is glad that the department and the Commission are moving forward on this.

- In reviewing the projects as they come through the neighborhoods, PDR is different now than what it was. It is actually now a denser use.

Lou Blazej

- PDR services come from outside of the City.

- It is important to look at PDR and find out where the companies are coming from.

Bob Meyers

- This is a first step that has been long overdue.

- He would like to get a copy of report titled "option B."

Peter Cohen

- This is very good information.

- Has the available building space been evaluated?

- Will the vast majority of the space be used for single use?

Sue Hestor

- How are industrial uses depending on modes of transportation?

- It is important to factor in how people move throughout the City.

- Maybe the scoping should be extended beyond 5:00 p.m. tomorrow.

11. Informational Report on Case No. 2000.586EKX at One Polk Street, a.k.a. Bovet Place

SPEAKER(S): None

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Joe O'Donaghue

Re: Loss of Good Employees

- It is important to retain people of experience and that understand the codes.
- It is not good to dismiss people because of political reasons.
- The issue here is that Jim Hutchinson of the Department of Building Inspection has been dismissed.

E. REGULAR CALENDAR

12. 2004.0309EK\FSCDTZ (D. SIDER: (415) 558-6697)
2949 18TH STREET (AKA 2902-2998 19TH STREET; AKA 2901-2955 18TH STREET; AKA 601 ALABAMA STREET; AKA 600 FLORIDA STREET; AKA THE FORMER RYDER TRUCK RENTAL FACILITY; AKA THE ALABAMA STREET FAMILY HOUSING PROJECT), THE ENTIRE CITY BLOCK BOUNDED BY 18TH, 19TH, FLORIDA, AND ALABAMA STREETS; Lot 001 in Assessor's Block 4021: Request for: (1) **Conditional Use Authorization** to allow the construction of dwelling units in an M-1 Zoning District pursuant to Planning Code Section 215(a); (2) **Conditional Use Authorization** to allow a Planned Unit Development (PUD) pursuant to Code Section 304 to modify Sections including (a) the off-street loading requirements of Section 152.1 and (b) the rear yard requirements of Section 134(a)(1); (3) **changes in the text of the Planning Code** to establish the "Alabama and 18th Streets Affordable Housing Special Use District"; (4) a **reclassification of the subject property** (a change in the Zoning Map) to include the parcel in question within the aforementioned Special Use District; and, (5) **authorization under the Commission's Discretionary Review** powers for a project which would result in a net loss of PDR (Production, Distribution, and Repair) space as set forth in Commission Resolution Number 16727. The proposal would demolish an existing one-story 9,000 square foot structure most recently used for commercial truck dispatch and maintenance and construct a new four-story over basement building containing 151 dwelling units, at least 117 of which are affordable (and a further 24 of those which would be designated for occupancy by senior citizens), 12,000 square feet of PDR space, and 140 off-street parking spaces. The property is currently located within an M-1 (Light Industrial) Zoning District, the "Housing/PDR" Sub-Area of the Eastern Neighborhoods Interim Development Policies as set forth in Planning Commission Resolution Number 16727, and a 50-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Scott Belcone – Citizen's Housing Corporation

- There was a yearlong community planning process for this project.
- There were large community meetings held during evenings and weekends at which translators were present.
- Models and renderings were available at all the meetings so that the community could visualize the project.

(+) Dan Solomon – Project Architect

- He gave an architectural overview using rendering boards and provided information on the floor plans, façade and alley designs.

(+) James Collins

- This is a very good project.
- This is a win-win situation for the community and businesses.

(+) Kate White – Housing Action Coalition

- She is very happy that this project is before the Commission.
- This project is a model project.

(+) Jennifer Martinez – San Francisco Organizing Project

- She read a letter from various seniors who could not attend the meeting but are in support of the project.

(+) Teresa Yanga – Project Manager – Mayor's Office of Housing

- One of the conditions of the funding was that the sponsors conduct a community planning process.
- She commends the project sponsor for their hard work and what they have done.

(+) Delia Villanueva de Leon – San Carlos Borromeo Parish

- The community of San Carlos is in much need for housing.
- She hopes that this project will move forward.

(+) David Dempsey – Northeast Mission Neighborhood Association

- They served in the community planning process.
- He thanked Commissioner Olague for her participation in the planning of this project.

(+) Fred Snyder

- He owns a building on Alabama and one on Florida Street.
- He is very pleased to have been invited on the advisory committee.
- This project should be studied and used as a model project when working with various non-profits.

(+) John O'Brien – O'Brien Mechanical

- The project will have a union contractor and he is very much in favor of the project.
- He is delighted that the project will finally be approved.

(+) Phil Lesser – Mission Merchant's Association

- Merchants like to have neighbors.
- He was asked what he would like to see in this project and is glad about that.
- It is important that people, who work in the neighborhood, live in the neighborhood.

(+) Mike Suboy

- He has seen a lot of discrepancies, crime, etc. in this neighborhood.
- This project will beautify the neighborhood.

(+/-) Jeremy Nelson – Transportation for a Livable City

- This is a very good and strong project.
- The Commission would be so lucky to see more projects like this one.
- There is affordable housing in a richly public transit neighborhood.
- He is just concerned with the 1 to 1 parking in a richly public transit neighborhood.
- It is time to look at the parking requirements in transit corridors.

(+) Patricia Delgado

- She is a resident of the area and part of the advisory committee.
- She is very much in support of the project.

(+) Azalia Merrill

- She was born in San Francisco.
- This project addresses all of the concerns of the neighborhood.

ACTION: Approved Conditional Use
AYES: Antonini, Bradford Bell, S. Lee, Hughes, W. Lee, Olague
ABSENT: Alexander
MOTION: 16976

ACTION: Approved Conditional Use – Planned Unit Development
AYES: Antonini, Bradford Bell, S. Lee, Hughes, W. Lee, Olague
ABSENT: Alexander
MOTION: 16977

ACTION: Approved Planning Code Text Changes
AYES: Antonini, Bradford Bell, S. Lee, Hughes, W. Lee, Olague
ABSENT: Alexander
RESOLUTION: 16978

ACTION: Approved Zoning Map Change
AYES: Antonini, Bradford Bell, S. Lee, Hughes, W. Lee, Olague
ABSENT: Alexander
RESOLUTION: 16979

13. 2005.0074D (R. CRAWFORD: (415) 558-6358)
231 ORTEGA STREET - south side between 9th and 10th Avenues. Assessor's Block 2125 Lot 001F - **Request for Discretionary Review** of Building Permit Application No. 2004 1005 6033 to construct a full third story on the existing dwelling and to extend the building toward the front, west side, and rear, in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk district.
Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

14. 2005.0209DDD (G. NELSON: (415) 558-6257)
666 20th AVENUE - east side between Balboa and Cabrillo Streets, Lot 010E in Assessor's Block 1625 - **Requests for Discretionary Review** of Building Permit Application No. 2003.02.21.8031, proposing to construct a third-story vertical addition and horizontal addition at the rear of a single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposal would create a second dwelling unit and a second off-street parking space.
Preliminary Recommendation: Take Discretionary Review and Approve the Project with Modifications

SPEAKER(S):

(-) **David Green – 1st Discretionary Review Requestor**

- He is concerned with the height of the building and requested a setback on the front of the building.
- Staff did not give sufficient weight to the Residential Design Guidelines.
- There are no side setbacks proposed.
- They recognize the need for housing in this neighborhood, but this project should be revised.
- He would like to have the third floor eliminated.

(-) **Julianne O'Kearney – 2nd Discretionary Review Requestor**

- She and her family have lived in a two-story house for many years.
- The proposed project is too large and does not meet the Residential Design Guidelines.

(-) Duncan Heeny – 3rd Discretionary Review Requestor

- He also has concerns with the height of the project as well as the fact that it does not meet the Residential Design Guidelines.
- He just wants to live in a neighborhood where the residents want to preserve what they love so much.
- This project will affect the quality of life of all the neighbors.

(-) Ann Green

- She has lived in the neighborhood all her life.
- She is strongly opposed to this project because it disregards the Residential Design Guidelines.
- This project is not in proportion or character with the rest of the properties in the neighborhood.
- The project will affect the mid-block open space.

(+) Amad Larizadeh – Representing Project Sponsor

- The concerns of the Discretionary Review requestors seem to find that the project does not meet the Residential Design Guidelines.
- The project sponsors just purchased the property and are expecting a baby. They also want to add another unit in order to have income.
- The project is not going beyond anyone's property line.
- The project sponsors have accommodated the concerns of the neighbors.
- He is asking for another bathroom in the upper level.

(+) Paul Chu

- He lives on 20th Avenue.
- He just moved into the neighborhood.
- He and his wife are trying to have a larger space to live.
- It is important that the project sponsor of this project be allowed to live in a larger space.

(+) Sharon Wellerd

- She and her husband are the project sponsors.
- She and her husband are planning to raise a large family.
- They plan on staying there because they both work in the City.

ACTION: Hearing Held. Item continued to May 5, 2005 with instruction for redesign of ground floor and elimination or substantial reduction of third floor. Public Comment Remains Open.

AYES: Antonini, Bradford Bell, S. Lee, Hughes, W. Lee, Olague

ABSENT: Alexander

- 15a. 2004.1332D (G. CABREROS: (415) 558-6169)
1539 LINCOLN WAY - south side between 16th and 17th Avenues; Lot 039 in Assessor's Block 1734 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2003.07.18.9867, proposing to demolish an existing single-family dwelling in an RM-1 (Residential, Mixed. Low-Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do Not take Discretionary Review and approve demolition.

SPEAKER(S): None

ACTION: Without hearing, item continued April 14, 2005.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

- 15b. 2004.1333D (G. CABREROS: (415) 558-6169)
1539 LINCOLN WAY - south side between 16th and 17th Avenues; Lot 039 in Assessor's Block 1734 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of

Building Permit Application No. 2003.07.18.9863, proposing to construct a new four-story, three-unit building in an RM-1 (Residential, Mixed. Low-Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do Not take Discretionary Review and approve.

SPEAKER(S): None

ACTION: Without hearing, item continued April 14, 2005.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

- 16a. 2004.1334D (G. CABREROS: (415) 558-6169)
1545-1547 LINCOLN WAY - south side between 16th and 17th Avenues; Lot 038 in Assessor's Block 1734 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2003.07.18.9872, proposing to demolish an existing two-unit dwelling in an RM-1 (Residential, Mixed. Low-Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not take Discretionary Review and approve demolition.

SPEAKER(S): None

ACTION: Without hearing, item continued to April 14, 2005.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

- 16b. 2004.1335D (G. CABREROS: (415) 558-6169)
1545-1547 LINCOLN WAY - south side between 16th and 17th Avenues; Lot 038 in Assessor's Block 1734 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2003.07.18.9869, proposing to construct a new four-story, three-unit building in an RM-1 (Residential, Mixed. Low-Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not take Discretionary Review and approve.

SPEAKER(S): None

ACTION: Without hearing, item continued April 15, 2005.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

17. 2004.0934D (D. DIBARTOLO: (415) 558-6291)
575 25TH AVENUE - west side between Anza Street and Geary Boulevard; Lot 016 in Assessor's Block 1519 - **Request for Discretionary Review** of Building Permit Application No. 2003.08.26.3071S, proposing to construct vertical and rear horizontal additions to the existing one-story over garage single-family residence and to add a new dwelling unit at the new second floor level. The project site is within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S):

(-) **Beth Lewis – Discretionary Review Requestor**

- She has lived in the neighborhood for about eight years.

- The project has not changed since November 18, 2004 when the Commission suggested that the case was not properly before them because of an illegal unit.

- Construction has begun and the illegal unit was removed without permits.

- She asked that the Commission not approve this project because there is still the probability that there would be an illegal unit constructed.

(-) Richard Lowden

- The Commission should take Discretionary Review on this project because the project sponsor and the contractors they hired cannot be trusted.
- The illegal unit was rented out.
- The plans submitted by the project sponsor did not include a bathroom on the lower level.

(+) Awin Chan – Project Sponsor

- He purchased his home 18 years ago and did not do any repairs until recently.
- He just wanted to do his best with the construction of his property.
- There was a tenant in the lower level but this person recently moved away.
- He hopes that the Commission will approve the project.

ACTION: Took Discretionary Review and disapproved the project

AYES: Antonini, Bradford Bell, S. Lee, Hughes, Olague

ABSENT: Alexander and W. Lee

- 18a. 2004.0571D (D. SIROIS: (415) 558-6313)
336 MUNICH STREET - west side, between Brazil & Persia, Lot 032, Assessor's Block 6074 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application 2004.06.04.5613, to demolish an existing single-family dwelling in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition
(Continued from Regular Meeting of March 24, 2005)

SPEAKER(S):**(+) Mario Enriquez – Project Sponsor**

- Originally he just wanted to accommodate all the members of his family in the home they already live in.
- The house only has two bedrooms and no garage.
- As the project progressed, he realized that the remodeling job was a major undertaking which led them to think of other options. They started looking for houses on the market.
- They were not able to find an affordable four-bedroom house. So after consulting with the structural engineer and a building contractor, a decision was made to rebuild instead of remodel.
- They have been in the neighborhood for 20 years and would like to remain there.

ACTION: Did not take Discretionary Review and approved the demolition

AYES: Antonini, Bradford Bell, S. Lee, Hughes, Olague

ABSENT: Alexander and W. Lee

- 18b. 2004.0572D (D.SIROIS: (415) 558-6313)
336 MUNICH STREET - west side, between Brazil & Persia, Lot 032, Assessor's Block 6074 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2004.06.04.5620, proposing to construct a three-story, single-family residential building with one off-street parking in an RH-1 (Residential, One-Family) District and in a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and approve the new construction
(Continued from Regular Meeting of March 24, 2005)

SPEAKER(S): See Speakers for Item 18a.
ACTION: Did not take Discretionary Review and approved the project
AYES: Antonini, Bradford Bell, S. Lee, Hughes, Olague
ABSENT: Alexander and W. Lee

19. 2004.1114C (M. WOODS: (415) 558-6315)
2655 HYDE STREET - southwest corner at North Point Street; Lot 028, in Assessor's Block 0026 - **Request for Conditional Use** authorization under Planning Code Sections 185(e) and 303 to remove the 2015 termination date of the amortization period for a legal non-conforming use (24 timeshare rental units with each purchaser having either a deeded interest or a non-deeded interest in the building, in Assessor's Block 0026T, Lots 001A through 999A and Lots 001B through 225B) of an existing four-story residential building, located in an RH-3 (Residential, House, Three-Family) District, a 40-X Height and Bulk District and the Waterfront Special Use District No. 2.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

Steve Hicks – Project Sponsor

- He would like to delete the 2015 termination date.
- The property is used as a time-share resort and has been operating in this manner for many years.
- Many of the tourists using the time-share are very much in support of extending the termination date.
- This property has enhanced the economy of San Francisco.

(-) Sue Hestor

- This property has gone through several owners and rental uses since 1960.
- The project needs to come back into the housing market.

(-) Margo Bradish

- The code in the 60's allowed for a transient residential use.
- In the early 90s the project was approved for dwelling unit use.

ACTION: Approved
AYES: Antonini, Bradford Bell, S. Lee, Hughes, Olague
ABSENT: Alexander and W. Lee
MOTION: 16980

20. 2005.0130C (E. TOPE: (415) 558-6316)
3625 BUCHANAN STREET - west side between Bay and North Point Streets, Lot 126 in Assessor's Block 0460A - **Request for Conditional Use** Authorization pursuant to Planning Code Sections 303, 711.38 and 790.108 to legalize the conversion of the second floor residential use to "Service, Business or Professional" use in the two-story building located at the rear of the subject lot in an NC-2 (Small-Scale Neighborhood Commercial District) and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Amad Mojazed

- He thanked staff for taking the time to assemble the report.
- The use has been on the site for many years.

(+) Dan Clark

- He does not want to prevent the project sponsor from the conversion.
- He would like to have a restriction on the use of the roof.
- Because of the internal structure, this conversion could invite the use the roof in some manner.

ACTION: Approved with Conditions as Amended: include a condition that allows for an alarm on the rooftop door leading to the roof that to prohibit access unless for maintenance.
AYES: Antonini, Bradford Bell, S. Lee, Hughes, Olague
ABSENT: Alexander and W. Lee
MOTION: 16981

21. 2005.0096C (J. MILLER: (415) 558-6344)
1160 MISSION STREET - north side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - **Request for Conditional Use** authorization to permit additional building square footage above the base floor area ratio of 6.0 to 1 for space devoted to affordable housing units (Planning Code Section 124(f)), in conjunction with construction of a previously approved new, 23-story residential building, in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts.
Preliminary Recommendation: Approval with conditions
(Continued from Regular Meeting of March 24, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to April 28, 2005.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

22. 2005.0198X (A. LIGHT: (415) 558-6254)
301 MISSION STREET - south side between Fremont and Beale Street, Lots 1 and 17 in Assessor's Block 3719 - **Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and an exception to rear yard requirements (Section 134(d))**. The subject property is located within the C-3-O Zoning District as well as the 550-S and 400-S Height and Bulk Districts. The proposed project is to change the mix of uses and make minor changes to a portion of the building envelope on a previously approved mixed-use project, which was approved for 130,000 square feet of office space in a nine-story mid-rise building; 320 residential units and 120 extended stay hotel suites in a 58-story tower; 9,400 square feet of ground floor retail and 18,710 square feet of public and private open space contained within a base podium element; and four levels of below-grade parking. The previously approved project was so conditioned that if in the judgment and at the discretion of the property owner, the hotel market did not sufficiently justify the operation of the proposed hotel facility, the 120 extended stay hotel units would be authorized for conversion to an equal number of residential units. Therefore, the previously approved project was approved for a total of 440 dwelling units under specific conditions, all contained within the 58-story tower. The modified project would eliminate the office and hotel uses, and would contain a total of 420 dwelling units, placing 54 of these units in the former 130,000 square-foot office building envelope, and 366 larger dwelling units would occupy the entire tower building envelope. The ground level retail space would be reduced to 7,900 square feet, and there would be approximately 6,700 square feet of public open space, although with the removal of the office and hotel uses, no public open space is actually required by the Planning Code. The proposed residential and retail uses would be contained in substantially the same building envelopes as were approved for the previous mixed-use project, with minor changes to the mid-rise building facade and a rear yard exception required for the dwellings within it.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of March 24, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to April 21, 2005.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 7:53 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, APRIL 28, 2005.

SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, April 14, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

MAY 26 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, Sue Lee,
William L. Lee, and Christina Olague

COMMISSIONERS ABSENT: Dwight Alexander

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:43 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Jonathan Purvis; Jim Miller; Craig Nikitas; Michael Li; Marshall Foster; Lisa Gibson; Glenn Cabrerros; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2003.1152V (M. LUELLEN: (415) 558-6478)
329 BAY - south side between Powell and Mason Streets through to Vandewater Street; Lot 036 Block 0041 - **Request for Variance** from rear yard requirements, pursuant to a project that would demolish the existing, largely vacant, one-story building with 8,550 square feet of existing retail space to construct a new four-story building approximately 40 feet high, containing 21 dwelling units and 3,100 square feet of retail space. Twenty-one parking spaces would be located below grade, with vehicular access from Vandewater Street. Section 134(a)(1) requires that a building which contains dwellings in this district have a minimum rear yard depth equal to the larger of 25 percent of the lot depth or 15 feet. The subject lot is 120 feet deep and the required rear yard would be 30 feet. The project proposes no rear yard, but substitutes two light courts approximately 25 feet in depth on each side property line at mid-lot. The site is zoned C-2 (Community Business District), in the Northern Waterfront Special Use District #2, and a 40-X Height and Bulk District.
(Continued from Regular Meeting of March 24, 2005)
(Proposed for Continuance to April 21, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to April 21, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

2. 2004.1311D (B. FU: (415) 558-6613)
860 INNES AVENUE - east side between Griffith and Fitch Streets; Lot 018 in Assessor's Block 4645 - **Request for Discretionary Review** of Building Permit Application No. 2004.02.26.7273 proposing a vertical addition consisting of 3 additional floors to accommodate 3 dwelling units, to convert the ground floor into a 3-car garage, and to change the ground floor use from business service to retail within a NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve Project as Proposed.
(Proposed for Continuance to April 28, 2005)

SPEAKER(S): None
ACTION: Discretionary Review Application Withdrawn

3. 2005.0171D (D. SIDER: (415) 558-6697)
130 TOWNSEND STREET - west corner of Stanford Street, Lot 008 in Assessor's Block 3788 - **Mandatory Discretionary Review** of Miscellaneous Permit Application Number MB0500372, a Zoning Referral from the California Department of Alcoholic Beverage Control (ABC). The proposal would change the use of a vacant approximately 6,000 square foot ground floor space to a full-service restaurant and bar (DBA "Tres Agaves") which would sell alcoholic beverages for consumption on-site. The balance of the structure (approximately 3,500 square feet) would be used as an art gallery. No physical expansion or increase in exterior dimensions of the existing building is proposed. Planning Commission Resolution Number 14844 requires a Discretionary Review hearing for all projects which involve a new or relocated liquor license or bar within the proposed Ballpark Vicinity Special Use District (BVSUD). The property is located in an SSO (Service / Secondary Office) District, the proposed BVSUD, the South End Historic District, and a 50-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
(Continued from Regular Meeting of March 24, 2005)
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Without hearing, item continued indefinitely
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

4. 2004.0305C (D. JONES: (415) 558-6477)
1111 JUNIPERO SERRA BOULEVARD - southeast corner of the intersection Shields Street and Junipero Serra Boulevard, Lot 024 in Assessor's Block 7080 - **Request for Conditional Use** Authorization to allow the installation of six (6) panel antennas concealed into the base of the existing church steeple (Temple Methodist Church), and install three outdoor equipment cabinets located on the south side of the church as part of a wireless telecommunication network, pursuant to Planning Code section 209.6(b), in an RH-1 (Residential, Single-Family) District and a 40-X Height and Bulk District. As per the City & County of San Francisco's Wireless Transmission Services (WTS) Facilities Siting Guidelines the proposal is a Location Preference 2 (Co-Location Site).
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of February 3, 2005)
(Proposed for Indefinite Continuance)

SPEAKER(S): None
ACTION: Without hearing, item continued indefinitely.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

5. 2004.0389D (J. PURVIS: (415) 558-6354)
684 ARKANSAS STREET - west side between 20th and 22nd Streets; Lot 016 in Assessor's Block 4098 - **Request for Discretionary Review** of Building Permit Application No. 2003.05.22.5290 proposing the conversion of a single-family dwelling to a two-family dwelling with vertical and horizontal extensions. The site is in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project.
(Continued from Regular Meeting of March 3, 2004)
DISCRETIONARY REVIEW APPLICATION WITHDRAWN

SPEAKER(S): None
ACTION: Discretionary Review Application Withdrawn

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption:

- Draft Minutes of Regular Meeting of February 10, 2005
- Draft Minutes of Special Meeting of February 10, 2005

SPEAKER(S): None
ACTION: Approved – [**One motion and vote for both sets of minutes**]
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

7. Commission Comments/Questions

Commissioner W. Lee:

Re: Zoning an Entertainment District

- Has San Francisco ever considered an entertainment zoning district?
- He would like staff to investigate where entertainment in the City can be located.

Commissioner Antonini:

Re: Notice Processing

- There has been a lot of discussion about problems in the processing of notices.
- He believes that part of the conflict with the delays has been seen between the public's ability to comment freely and be heard in full, and the ability to move projects forward. The public should be able to comment for as long as necessary.
- He believes that noticing should be increased as much as possible to achieve the broadest outreach to the public within their neighborhoods. This should include commercial projects.

Commissioner S. Lee:

Re: Status of Various Projects

- As the Commission begins to review neighborhood plans and adopt the plans, questions from the public comes up regarding the status of these jobs.
- She asked the City Attorney for a written opinion on the legal entitlements of the projects the Commission approves.

8. Discussion of the responsibilities assigned to the Zoning Administrator by City Charter and Planning Code.

Judy Boyagian, Deputy City Attorney, commented:

The Zoning Administrator is a Charter Official. This position is specifically mentioned in section 4.105 of the Charter. The only power that he has that is expressed in the Charter itself is the authority to determine Variances. Prior to the Charter amendment in 1996, there were other Zoning Administrator powers in the Charter (for example: enforcement of the code) but they were removed in the 1996 revision. Everything except for the Variance power is in the Planning Code. Most of the duties are set out in Section 307.

Many people are aware that the Zoning Administrator will also issue written interpretations of the Planning Code. These are now on the Planning Department's web site. He has the power to enforce the code through calling on other city officials like the City Attorney, District Attorney and Chief of Police.

The Zoning Administrator's primary duty is to interpret and enforce the Planning Code. One of the issues that has been contentious recently is when the Planning Commission has approved a project and imposed conditions on it, what is the authority of the Zoning Administrator to modify those decisions when the Commission's decision is appealed to the Board of Appeals or Board of Supervisors and they impose conditions? Basically he has no power to modify or change the decision. What he does have the authority to do is to interpret that decision. Section 174, specifically states that conditions that are prescribed on projects by the Planning Commission, Board of Appeals or Board of Supervisors actually become provisions of the Planning Code. The specific provisions of the Planning Code can be enforced and interpreted by the Zoning Administrator, in the same way as enacted provisions of the Planning Code.

If there is a question about whether a project modification is consistent with the decision approval action, the Zoning Administrator is the only actual official that has the authority to make the decision, interpret the action. The clearer the action is of course, the easier his job is. If it is a little ambiguous, he has a harder job. Any decision he makes in that regard is appealable to the Board of Appeals.

SPEAKER(S):

Bernard Choden

- Things have gotten worse in the past eight years.
- The remedy is to realize the needs of the City.
- Reform is needed to modernize the Planning process.

Sue Hestor

- The Zoning Administrator position has a lot of power.
- It is important that the Zoning Administrator find out what the problems are but not try to solve them himself.

John Schlesinger

- He commended the Commission for their comments on this matter. You (the Commission) are concentrating on the position and not on the individual.
- There is a necessity that the position be an autonomous position.
- The public may not agree with the decision, and may fight the decision, but the important thing is that the Zoning Administrator does what is stated in the Planning Code.
- This is a very important issue for neighborhood groups.

Gerry Crowley – Former President of the Telegraph Hill Dwellers' Association.

- She is concerned about a particular case where she believes that the Zoning Administrator actually changed the law with a determination.
- The case is a restaurant known as Basta Pasta at 1234 to 1268 Grant Avenue. The space operated as a pasta restaurant from 1986 to 2000. Under plans that were approved under interim controls, the plans were approved one week prior to the North Beach Commercial District legislation being passed. There were extensive negotiations

between the neighborhood organization and the project sponsor. Just to the exterior, for example, there were violations of the original CU. In 2000, the restaurant closed and four years later in 2004 the building was sold. The new buyers asked the Zoning Administrator for the abandonment provisions of the code. The Zoning Administrator found that the abandonment did not apply because the original owner had tried to sell the property as a restaurant and didn't intend to abandon it. Now that four years have gone by, the Zoning Administrator says that the code, that the law does not apply.

- She believes that the Zoning Administrator has a very dangerous use of power.

Kepa Askenasy

- She displayed a flowchart of the development process.
- She asked that a series of hearings be scheduled in order to understand how the Department is structured.
- How does the community perceive corruption?

Arthur Chang – Vice Chair, Park and Recreation Advisory Committee

- Does the Zoning Administrator have the power to administer a law?
- What authority does the Zoning Administrator have to encounter mandated law?

Pat Buscovich

- He thanked the Commission for explaining why this item was on the agenda.
- This is one of the most important things that the Commission will be discussing.
- He knows that the current Zoning Administrators is one of the most ethical people that he knows.
- The Board of Appeals is another autonomous body.
- The description that the City Attorney mentioned is very well said.

Teresa Garcia

- As more projects are approved, it is important to see the check and balances.
- There have been a lot of businesses that have had to move away because of decisions of the Zoning Administrator.

Fernando Martin – Mission Anti-Displacement Coalition

- Over the last ten years there have been a lot of changes in various neighborhoods.
- There are decisions that the Zoning Administrator has made that are kind of "fuzzy."
- The Zoning Administrator has created policy for certain areas when in fact that was not the intention of the Commission.
- When the interpretations are added up, they can become actual policy.

Bob Passmore

- He was Zoning Administrator for 25 years.
- This subject is a very difficult one.
- Previously, the Planning Code was less complex than it is now so there were fewer things to interpret.
- There are a lot of "grey" areas in the Planning Code.
- Uses over time have been changed and added to the code.

Eileen Gold

- She has been here before in September of 2004 regarding a project on 18th Street.
- The ZA referenced a motion by the Board of Supervisors. This project has been going on since the 90s. In 2001, the Commission made certain conditions about the project that was appealed to the Board of Supervisors. They added more conditions to the project.
- Instead of the correct motion, the ZA used the previous motion before the Board of Supervisor's conditions.
- They have gone through the Board of Appeals but have had no luck.

Charles Marsteller

- The Zoning Administrator, as with the Commission, can be removed only if there is a just cause.
- As a civil servant, the Zoning Administrator is subject to an annual review.
- There should be some clarification of the structure of his position.
- The Commission has raised very interesting questions today.

John Bardis

- Neither the Commission nor the Zoning Administrator has the ability to change the law.
- The ZA does interpretations according to the law.
- There should be questions when the Commission has issued an action and it is not carried out.
- The question is if the Commission is doing their job and carrying out the will of the public?

C. DIRECTOR'S REPORT**9. Director's Announcement****Dean Macris reported:***Land Use Committee**Re: Review of Status of Backlog*

- He appeared before the Land Use Committee. They understand the Planning Department's issues which are the reasons for our delays.
- There will be a fee analysis to make them consistent; the tracking system will be integrated; and finally, an analysis of procedures and processes will be done.
- Also, our short-term solution will be to fill the vacancies.

Alicia John-Baptiste reported

- The Department has a number of vacant positions which totals about 16% of the total funded positions.
- There is a hiring program in place for each of the five major areas in the Department.
- Three positions in the environmental analysis unit, seven in neighborhood planning, seven in city-wide, three in the Director's office and two in administration.
- There have been two offers to date, both of which have been accepted. Over the next couple of weeks, there will be a number of interviews for Planner II and Planner III positions.
- At the same time, there is recruitment going on for a number of other positions, those include the higher level planner positions--the Planner IV positions, as well as some classifications that fall outside of the planning series, including a community outreach coordinator.
- Interviews for these positions will probably start in early to mid May with staff coming on board a month after that process begins.
- Search for all these position includes internal and external applicants as well as promotions.
- With all the new staff, there is hope that soon the backfill will become less and less.

Director Macris reported:

- The two administrative positions mentioned are for planners for the transportation section of the department.

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals**BOS: The Zoning Administrator reported:***624 Divisadero*

- This was an appeal of an 18-unit condominium at a location where a church would be demolished. There was very little discussion at the Planning Commission.
- A neighborhood group indicated that this had been a theatre and felt that it was important to preserve. An environmental analysis of the project was done but did not result in the original negative declaration being withdrawn.
- Supervisor Ross Mirkarimi lead a negotiation that resulted in the project being revised so that rather than the theater being demolished which fronts on Divisadero, the building fronting on Hayes would be built. The back of the theatre would be demolished but the public spaces of the theatre would be retained.
- The appellant was not satisfied with this and still had concerns.

- The project was continued. Perhaps a new CU will be issued and brought back to the Commission.

Re: One Polk Street

- There were changes to the design of this project.
- There were questions of whether these changes were in conformity. After some analysis there was a decision that it was. He will be issuing a letter to this effect.

BOA: The Zoning Administrator reported:

Re: 141 Willard North

- This was a demolition that the Commission disapproved.
- The Board of Appeals overruled the Planning Commission's disapproval and approved the demolition by a +5-0 vote.

Re: 555 Buena Vista West

- This was not before the Commission but he thought it would be important to report.
- This 1930s art deco apartment building had steel windows that were deteriorating.
- The project sponsor wanted to replace the windows with vinyl windows. Staff has argued that it is important to maintain the same type of window systems. Staff has not been very successful on this.
- The Board upheld the Department's position of installing vinyl windows with an aluminum base.

Re: 3775 21st Street

- There was some discussion on this Variance. He determined that the Discretionary Review period had expired. Only the Variance only was heard.

11. 2003.1162EC (J. MILLER 415-558-6344)
2351 POWELL STREET - Informational item - west side between North Point and Bay Streets, with additional frontage on Stockton and Mason Streets, all of Assessor's Block 31 (Lots 1, 3 and 4) within a C-2 (Community Business) District and a 40-X Height and Bulk District, and all of Assessor's Block 32 (Lots 1 and 2) and Lot 3 in Assessor's Block 33, within an RM-3 Mixed Residential, Medium Density) District and a 40-X Height and Bulk District, and all within the Northern Waterfront Special Use District No. 2.- Follow-up report to Commission on authorized Conditional Use (Motion No. 16918) regarding dwelling-unit mix and in-lieu payment to Recreation and Park Department in place of on-site usable open space.
 Preliminary Recommendation: No Action Required

SPEAKER(S): None

ACTION: Staff gave a report. Informational only. No action.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Jakkee Bryson

Re: Planning Commission

- Her physical condition has deteriorated.
- The Commission is the first and last line of defense to those citizens that are disabled, financially challenged, etc.

- There are at least three notices of violation on programs in buildings that were approved by the Commission.
- There is a disregard for these types of people if they get injured.
- There should be some sort of monitoring system for the programs that are approved by the Commission.

Sue Hestor

Re: Planning Commission Staff

- There are 28 new staff coming to the Planning Department. They should seriously consider overhauling the Department.
- It is important to train staff so they can practice discretion.
- Staff is going to have to be empowered by the Commission and the public.
- Transparency is very important as well.

Jim Salinas, Sr.

Re: Planning Commission

- The public conception needs to be reinstilled.
- It is important to the general public to see that the Commission has accepted their responsibly.

E. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

12. 2005.0009L (M. LUELLEN: (415) 558-6478)
1110 TAYLOR STREET - east side of Taylor Street between Sacramento and Clay Streets; Lot 018 in Assessor's Block 222 - **Request for the Planning Commission to adopt a Resolution** recommending that the Board of Supervisors approve the designation of the Glazer-Keating House as Landmark No. 251.
 Preliminary Recommendation: Adopt a resolution recommending landmark designation.

SPEAKER(S): None
 ACTION: Approved
 AYES: Antonini, Bradford Bell, Hughes, S. Lee, Olague
 ABSENT: Alexander and W. Lee
 MOTION: 16982

F. REGULAR CALENDAR

13. 2004.0945C (J. PURVIS: (415) 558-6354)
695 BRYANT - southeast corner at 5th Street; Lot 047 in Assessor's Block 3777 - **Request for Conditional Use** Authorization under Planning Code Section 890.50 for the intensification of a homeless shelter from a 205-bed capacity to a 345-bed capacity within an existing two-story-over-basement building. The site is within an SLI (Service/Light Industrial) Mixed Use District, a 50-X Height and Bulk District and is within the Industrial Protection Zone under Planning Commission Resolution No. 16202.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of February 3, 2005)

SPEAKER(S):
 (+) Joyce Krom – Deputy Director of the Homeless Emergency Services – Human Services Agency – Division of Housing and Homelessness
 - They serve 345 clients at the shelter.

- Housing is most important in the City right now.
- They did a homeless count and came up with about 6,000 homeless people.
- There are shelters that provide over 450 bed slots for families.
- They are asking for the Commission's approval of this proposal.

(+) Jakkee Bryson

- If the Commission approves this project, she hopes that the disabled access requirements are added.
- People are suffering in this building. There is poor ventilation and the disabled shower is not working. The building is absolutely terrible.

ACTION: Approved with the following additional conditions of approval: Building permit shall be subject to the review and approval of the Building and Fire Departments and must be in compliance.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, Olague

ABSENT: Alexander and W. Lee

MOTION: 16983

- 14a. 2004.1342EXV (M. LI: (415) 558-6396)
693 SUTTER - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - **Request for a Determination of Compliance under Planning Code Section 309 and Request for Exceptions including an exception to the rear yard requirements as permitted in Section 134(d).** The proposal is to convert approximately 7,000 square feet of office space on the fifth and sixth floors of the existing building to six dwelling units. Previously, Section 309 approval was granted for the conversion of the mezzanine and the second through fourth floors from office space to 10 dwelling units. Approval of the current proposal would result in a total of 16 dwelling units, including two BMR units. There will be no physical expansion of the existing building. The project site lies within a C-3-G (Downtown General Commercial) District and an 80-130-F Height and Bulk District. The Zoning Administrator will hold a simultaneous hearing to consider a request for an off-street parking variance.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Simon Quan – Representing Project Sponsor – Project Architect

- The footprint of the building is very small.
 - The façade cannot be changed because it is a historical building.
 - Three other buildings are on the alley. There is concern about sharing it with this project.
 - The project was split into two phases because there were still tenants occupying the building.
 - The owner prefers to have the BMR units in the mezzanine level.
- (+) Jeremy Nelson – Transportation for a Livable City**
- They are in support of this project.
 - The code should be changed to minimize parking in a CG3 zoning district.

ACTION: Hearing Held. Item Continued to April 28, 2005 to provide new material that shows equitable distribution of BMR units and their size. Public Comment to Remain Open.

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

- 14b. 2004.1342EXV (M. LI: (415) 558-6396)
693 SUTTER - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - **Off-street parking variance sought.** The proposal is to convert approximately 7,000 square feet of office space on the fifth and sixth floors of the existing building to six dwelling units.

There will be no physical expansion of the existing building. The project site lies within a C-3-G (Downtown General Commercial) District and an 80-130-F Height and Bulk District. The parking requirement for the proposed project is two spaces, and the project is proposing zero spaces. The application for variance will be considered by the Zoning Administrator.

SPEAKER(S): Same as those listed in item 14a.

ACTION: Zoning Administrator continued the Item to April 28, 2005.

- 15a. 2002.0805RTZ (M. FOSTER (415) 558-6362)
MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider a **Motion of Intent to Initiate Amendments to the Planning Code** pursuant to the proposed Mid-Market Redevelopment Plan and Special Use District.
 Preliminary Recommendation: Adopt a Motion of Intent to Initiate Amendments to the Planning Code.

SPEAKER(S):

(+) Lisa Zayas Chien – Planner at the San Francisco Redevelopment Agency

- The agency has been contemplating this area since 1994.
- They have been working with a citizen's advisory committee.
- The project area was selected in 1997.
- The project area committee consists of various neighborhood residents that have an interest in what is happening there.
- The agency has gone through a lot to listen and gather the resident's comments and issues.
- This is a very interesting project that brings together various issues.

(+) Anthony Faber – SOMA Leadership

- This initiation should be approved to get the "ball rolling" in order to see what the Commission likes and doesn't like.

(+/-) Susan Bryant

- She has met with several groups and they feel that it is a bit early for initialization.
- The community still has concerns like: housing, more Inclusionary housing, transportation, arts, etc.
- There is a lot more community outreach that should be done.

(+/-) Jakkee Bryson

- Her question is: "What is the rush?"
- Can the arts money be used to expand the building?

(+) Sam Duke

- She pleaded with the Commission to start this now.
- This has been worked on for so long and no one is rushing.
- The PAC meets every week and the main body meets once a month. This project should start.

(-) Robert Ingalls

- He has been living in San Francisco all his life.
- He wants to continue living here even if he has to live in substandard conditions.

(-) Bill Murphy

- He is a third generation San Franciscan living in SOMA.

- SOMA and the Tenderloin are the most negatively affected by this Mid-Market Plan.
- 35% of Inclusionary housing should be rental housing.
- Local businesses and jobs will be lost.
- Community, cultural and arts should be encouraged in the area.
- Mid-Market will be turned into a Manhattan with this proposal.

(-) Bruce Allison

- He is opposed to this proposal. He is disabled and is currently living in SOMA.
- Most of the rooms in these buildings are vacant because people cannot afford it.
- It all started with Moscone when he displaced a lot of people.

(-) Richard Marquez

- This proposal is making SOMA into a Manhattan.
- Who lives there? People who deserve community based services, affordability, etc.

(-) Casey Mills – Center City SRO Collaborative

- There has been a lack of community involvement with this proposal.
- The people that will be most affected were not involved in this proposal.
- Now they are forced to approve a plan that is totally against them.
- This plan will increase subsidized gentrification.

(-) April Veneracion – South of Market Community Action Network

- More can be done at Mid-Market in regards to jobs and community based services.
- She urges the Commission not to initiate this plan until further discussions have been done.

(+) Byron Yee – Member of the Mid-Market PAC

- They have done extensive outreach in the area and everyone has to be heard.
- This plan has nine to ten years in the works. No one is rushing.
- The community is representative of the PAC and vice-versa.

(+) C.J. Higley – Reuben and Junius

- They do think that the time has come to initiate this plan.
- After ten years, the time has come.

(-) David Wilbur

- He is a recent PAC member.
- He is one of two people that voted against this plan.
- This was not a very open process. Most of the meetings were held at the Flood building in back rooms.
- Most of the powerful land use attorneys have developed this plan.
- It is important that there is review of all the community impacts.

(-) Carolyn Blair – SF Tree Council and the San Francisco Bicycle Coalition

- The coalition is concerned. This will generate increased automobile traffic and be hazardous for bicycle riders.
- Market Street is the busiest bicycle corridor.
- There are existing heavily used bicycle lanes on 7th and 9th streets.
- The Transportation Authority Market Street study calls for decreasing car traffic and increasing pedestrian and bicycle riders' safety.
- They oppose residential parking in areas that are rich in public transportation.
- Cars can live underground but not people.
- This plan should be amended.

(-) Jeremy Nelson – Transportation for a Livable City

- There are outstanding concerns with this plan.
- The mid-market area has one of the lowest ownership of cars in the City.
- Despite having low ownership of cars, the area has high transit of cars.
- There are high statistics of people getting killed by cars.
- They oppose one to one parking, allowing three stories of aboveground parking, etc.
- This plan is not ready for "prime time."

ACTION: Initiated
 AYES: Antonini, Hughes, S. Lee, W. Lee
 NAYES: Bradford Bell and Olague

ABSENT: Alexander
MOTION: 16984

- 15b. 2002.0805RTZ (M. FOSTER (415) 558-6362)
MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider a **Motion of Intent to Initiate Amendments to the Zoning Map** pursuant to the proposed Mid-Market Redevelopment Plan and Special Use District.
Preliminary Recommendation: Adopt a Motion of Intent to Initiate Amendments to the Zoning Map.

SPEAKER(S): See Speakers for Item 15a.
ACTION: Initiated
AYES: Antonini, Hughes, S. Lee, W. Lee
NAYES: Bradford Bell and Olague
ABSENT: Alexander
MOTION: 16985

16. 2005.0076T (D. SIDER: (415) 558-6697)
ESTABLISHING ADDITIONAL AFFORDABILITY REQUIREMENTS FOR SRO UNITS - Consideration of an Ordinance amending Planning Code Section 890.88 to define a Single Room Occupancy (SRO) unit as a unit that is affordable to very low income or extremely low income households and making findings of consistency with Planning Code Section 101.1 and the General Plan
Preliminary Recommendation: Pending
(Continued from Regular Meeting of March 24, 2005)

SPEAKER(S):
Sue Hestor
- She would like to have this case continued a few weeks out.

ACTION: Without hearing, item continued to May 19, 2005
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

17. 2003.0029E (C. ROOS (415) 558-5981)
ONE RINCON HILL RESIDENTIAL DEVELOPMENT (425 FIRST STREET) - Public Hearing On Draft Environmental Impact Report (EIR). The project would demolish the former Bank of America three-story office building, clock tower, and two-story parking garage, and construct a 720-unit development as follows: a 450-ft.-tall, 45-story north tower with about 312 units; a 550-ft.-tall, 54-story south tower with about 354 units; about 14 stacked townhouses, 45-ft.-tall fronting Harrison Street and First Street; lobbies, management office, fitness center; about 3, 220 gross square feet (gsf) of retail; accommodation for 720 parking spaces with attendants and lifts, accessible on First Street; four loading spaces accessible on Harrison Street; about 49,000 gsf of residential open space; and an additional 19,000 gsf of publicly accessible open space along Harrison Street and in the First Street public right-of-way. The project would total about 1,217,315 gsf, a net increase on the site of about 1,133,399 gsf. The site includes Lots

1, 9, and 15, in Assessor's Block 3765, on the block bounded by Harrison, First and Fremont Streets and the Bay Bridge West approach. The north part of the site is in an RC-4 Use district, and Residential Subdistrict of the Rincon Hill Special Use District (SUD). The south part is zoned M-1, and is in the Commercial/Industrial Subdistrict of the Rincon Hill SUD. The north part of the site is zoned 200-R, and the south part is zoned 84-X for Height and Bulk. The project requires the following approvals: 1) rezoning (including Height/Bulk and Use district reclassification for the site), if the proposed Rincon Hill Plan and Downtown Residential (DTR) Use District and proposed Height and Bulk districts were not adopted and/or proceed as scheduled; 2) Conditional Use authorization should the proposed Rincon Hill Plan and Downtown Residential (DTR) Use District not be adopted and/or proceed as scheduled, or proposed Section 309.1 authorization should the Rincon Hill Plan and DTR Use District be approved; 3) demolition and building permits from the Department of Building Inspection; 4) a revocable encroachment permit or street improvement permit from the Department of Public Works (DPW), approval from DPW and the Department of Parking and Traffic for street improvements; and 5) approval from DPW and coordination with Caltrans for use of the First Street right-of-way, and a lot merger, approvable by DPW. Preliminary Recommendation: Public Hearing to Receive Comments. No Action Required.

NOTE: Written comments will be received at the Planning Department until 5 pm, April 19, 2005.

SPEAKER(S):

(-) Dick Millet

- He lives in Potrero Hill.
- He is opposed to the tall walls, the large towers, and land used for storage.
- Demolition of an architecturally significant building is not acceptable.
- Affordable Housing should not be excluded.
- High rises on the waterfront are an abuse that should not be tolerated.

(-) John Carney

- He lives on Rhode Island.
- He is appalled at this plan.
- There is a one-inch thick volume of paper that emits a lot of things.
- No one has spoken about the historical significance of the building that will be demolished.

ACTION: Hearing held. Public hearing closed. No action required at this time.

18. 2005.0226DDDD (S. VELLVE: (415) 558-6263)
60 CLARENDON AVENUE - north side between the Stanyan Street right-of-way and Twin Peaks Boulevard; Lot 023 in Assessor's Block 2688 - **Requests for Discretionary Review and staff-initiated Discretionary Review** of Building Permit Application No. 2004.04.22.2053 proposing to construct a new single-family dwelling on a steeply down-sloping vacant lot. The house would be two stories at the street frontage and five stories at the rear in an RH-1(D) (House, One-Family (Detached Dwelling)) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications

SPEAKER(S): None

ACTION: Without hearing, item continued to April 28, 2005

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander

Items 19 and 20 were called and heard together.

- 19a. 2004.1332D (G. CABREROS: (415) 558-6169)
1539 LINCOLN WAY - south side between 16th and 17th Avenues; Lot 039 in Assessor's Block 1734 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2003.07.18.9867, proposing to demolish an existing single-family dwelling in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not take Discretionary Review and approve demolition
(Continued from Regular Meeting of April 7, 2005)

SPEAKER(S):**(+) C.J. Higley**

- This project presents an excellent opportunity for housing.
- This is exactly the kind of project that the City should be encouraging because it is right across the street from Golden Gate Park and public transportation.
- The project will improve the land use pattern on Lincoln Street.
- There is no opposition to this demolition or to the new construction.

ACTION: Did not take Discretionary Review and approved the demolition.**AYES:** Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague**ABSENT:** Alexander

- 19b. 2004.1333D (G. CABREROS: (415) 558-6169)
1539 LINCOLN WAY - south side between 16th and 17th Avenues; Lot 039 in Assessor's Block 1734 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2003.07.18.9863, proposing to construct a new four-story, three-unit building in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not take Discretionary Review and approve.
(Continued from Regular Meeting of April 7, 2005)

SPEAKER(S): See Speakers for Item 19a.**ACTION:** Did not take Discretionary Review and approved the project.**AYES:** Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague**ABSENT:** Alexander

- 20a. 2004.1334D (G. CABREROS: (415) 558-6169)
1545-1547 LINCOLN WAY - south side between 16th and 17th Avenues; Lot 038 in Assessor's Block 1734 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2003.07.18.9872, proposing to demolish an existing two-unit dwelling in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not take Discretionary Review and approve demolition.
(Continued from Regular Meeting of April 7, 2005)

SPEAKER(S): See Speakers for Item 19a.**ACTION:** Did not take Discretionary Review and approved the demolition.**AYES:** Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague**ABSENT:** Alexander

- 20b. 2004.1335D (G. CABREROS: (415) 558-6169)
1545-1547 LINCOLN WAY - south side between 16th and 17th Avenues; Lot 038 in Assessor's Block 1734 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with

residential demolition, of Building Permit Application No. 2003.07.18.9869, proposing to construct a new four-story, three-unit building in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not take Discretionary Review and approve.
(Continued from Regular Meeting of April 7, 2005)

SPEAKER(S): See Speakers for Item 19a.
ACTION: Did not take Discretionary Review and approved the project.
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 6:47 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 19, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
EXCUSED: Alexander

SAN FRANCISCO PLANNING COMMISSION Special Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, April 21, 2005

12:00 PM

Special Meeting

DOCUMENTS DEPT.

MAY 27 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Michael J. Antonini, Kevin Hughes, Sue Lee, William L. Lee, and Christina Olague

COMMISSIONERS ABSENT: Dwight Alexander and Shelley Bradford Bell

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 12:15 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Judy Boyajian – Deputy City Attorney; Susan Exline; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

SPECIAL CALENDAR

1.

(S. EXLINE: (415) 558-6332)

INFORMATIONAL PRESENTATION BY THE DEPARTMENT OF PUBLIC HEALTH ON THE EASTERN NEIGHBORHOODS HEALTH IMPACT ASSESSMENT

- The Public Health Department is engaged in a Health Impact Assessment of the Eastern Neighborhoods Rezoning options separately from the Planning Department's Environmental Impact Report. This presentation by the Health Department will be an informational presentation to the Planning Commission on the process being followed to conduct this assessment and how this process will inform the Commission on the health impacts associated with the Eastern Neighborhoods rezoning.

Action: Informational Only

Rajiv Bhatia – Department of Health

- He gave a PowerPoint presentation regarding an assessment that the Department of Public Health is conducting in the Eastern Neighborhoods.

- What is public health? Trying to allow the societal conditions that allow people to be healthy. This involves working in partnership with a lot of organizations.

- What makes people healthy? A lot of money can be spent on health services and not result in very healthy people. Part of the answer is to work on social conditions.

- Research has shown that in segregated neighborhoods there is poorer air quality, nutrition, crime and violence, hospitalizations, environmental health problems, etc.

- There is a lack of environmental "assets" like grocery stores, financial institutions, jobs, etc.
- They were asked to address the issue of asthma, for example. After a study being done, they discovered that many households had mold, windows not working properly, bad ventilation, etc.
- Lead is another situation that can result in asthma.
- Cars are another cause of environmental problems. People who live in areas with high density, freeways, roads, etc. have high levels of pollution that also causes a lot of health problems.
- As houses are being built near traffic, it is a hard decision to make—balancing the need for housing with existing traffic concerns. There is also the issue of pedestrians being safe near high traffic areas.
- Health Impact Assessment is a fancy term for saying, "how does a public policy affect health?" HIA looks at all of the connections between a public policy and a variety of health outcomes at the same time.
- Many countries are involved in this health assessment (Canada, New England, New Zealand, etc.)
- A collaborative consensus building process is a way of getting the Health Department to work in a proactive way in land planning and land use. There are many City departments that can work together to make this happen.
- The process involves the following: vision for a healthy city, identification of community health objectives and research questions, research on community conditions and improvement strategies, recommendations for development policy and selection of indicators of progress.
- There will be recommendations made to the City agencies that will be involved in this assessment.
- In the summer, they will be looking at the recommendations for their zoning plans and review how they align with the plans of the Planning Department.

Joe Speaks – MTA

- He is very impressed with how this process is bringing a variety of different people together.
- Regarding their feel management, they are currently working on better environmental friendly sources.
- Although, this is early in the process, it is important to start now.

Robert Pender – San Francisco Tenant's Network

- They surveyed their members recently and all the members support low-income units in the Eastern Neighborhoods.

Debra Stein – GCS Strategies

- She is representing a variety of stakeholders.
- She is concerned that there has not been enough outreach to community groups and activists, the real estate community, etc.
- She made several requests to be notified of when meetings were being held, when documents were issued, etc. She did not receive this information.
- It would be better to wait for the DEIR certification. Then feedback can come back for adoption.

Eric Quezada – Mission Anti-Displacement Coalition

- This, for the City, is a breakthrough in terms of how development is viewed.
- When there are families that have to live in SRO rooms – this is a health impact.
- [Usually] there seems to be some entitled approach on who could attend discussions. He feels that this is a very open forum.
- They want to continue to participate in this process.

Bob Hernandez

- He has lived in the Mission all his life.
- He has had asthma all his life.
- It is important to incorporate all the health needs of the neighborhoods.
- There are about 40 organizations that have been invited to be part of the process.

- If more people knew how important this process was, there would be more people here to comment.

Informational only. No action required or taken.

Adjournment: **1:15 p.m.**

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 26, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee
EXCUSED: Bradford Bell

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, April 21, 2005

1:30 PM
Regular Meeting

DOCUMENTS DEPT.

MAY 26 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Dwight Alexander, Michael J. Antonini, Kevin Hughes, Sue Lee, William L. Lee, and Christina Olague

COMMISSIONERS ABSENT: Shelley Bradford Bell

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:52 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Craig Nikitas; Matthew Snyder; Rick Cooper; Sara Velve; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.0296EKX (M. LI: (415) 558-6396)
631 FOLSOM STREET - south side between 2nd and Hawthorne Streets; Lot 090 in Assessor's Block 3750 - **Request under Planning Code Section 309 for a Determination of Compliance and Request for Exceptions.** The proposal is to construct a 21-story, 209-foot-high building containing up to 120 dwelling units and a garage with up to 64 parking spaces (36 independently accessible and 28 tandem). The project requires rear yard, wind, height, and bulk exceptions. The project site lies within the C-3-S (Downtown Support) District and a 200-S Height and Bulk District.
Preliminary Recommendation: Approval with condition
(Proposed for Continuance to April 28, 2005)

SPEAKER(S): None

ACTON: Without hearing, item continued to April 28, 2005

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

2. 2004.0798D (M. SMITH: (415) 558-6322)
2070 30TH AVENUE - east side between Pacheco and Quintara Streets, Lot 003M in Assessor's Block 2149 - **Request for Discretionary Review** of Building Permit Application No. 2004.01.26.4825, proposing to construct a two-story horizontal addition at the rear of a single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications
NOTE: On March 3, 2005, following public testimony, the Commission continued the matter to April 21, 2005 in order for Project Sponsor to hire an architect to present alternative designs and to continue to work with the neighborhood trying to reach an agreement on a design. Public Hearing remains open.
(Proposed for Continuance to May 12, 2005) May 19, 2005

SPEAKER(S):

Re: Continuance

C.J. Higley – Reuben and Junius

- He would rather have this case continued to May 19, 2005.

ACTON: Without hearing, item continued to May 19, 2005

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

- 3a. 2003.0253D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2001.03.07.3680 to demolish an existing two-story two-family dwelling (the project also proposes the construction of a new two-family dwelling) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and disapprove Demolition Permit
(Continued from Regular Meeting of March 17, 2005)
(Proposed for Continuance to May 12, 2005)

SPEAKER(S): None

ACTON: Without hearing, item continued to May 12, 2005

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

- 3b. 2004.0682D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new construction to replace demolished housing, of Building Permit Application No. 2001.03.07.3684 for the new construction of a three-story, two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposed new building will contain two off-street parking spaces.
Preliminary Recommendation: Take Discretionary Review and disapprove Building Permit
(Continued from Regular Meeting of March 17, 2005)
(Proposed for Continuance to May 12, 2005)

SPEAKER(S): None

ACTON: Without hearing, item continued to May 12, 2005

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander and Bradford Bell

- 4a. 2003.1152DV (M LUELLEN: (415) 558-6478)
329 BAY STREET - south side between Powell and Mason Streets through to Vandewater Street; Lot 036, Block 0041 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.16.9064 and 2004.10.05.5976, proposing to demolish the existing building and construct a new four-story building approximately 40' high containing 21 dwelling units and 3,100 square feet of retail space. Twenty-one parking spaces would be located below grade, located in C-2 (Community Commercial) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do Not Take Discretionary Review and Approve Project as Proposed.
(Continued from Regular Meeting of April 14, 2005)
(Proposed for Continuance to May 5, 2005)

SPEAKER(S): None
ACTON: Without hearing, item continued to May 5, 2005
AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander and Bradford Bell

- 4b. 2003.1152DV (M. LUELLEN: (415) 558-6478)
329 BAY STREET - south side between Powell and Mason Streets through to Vandewater Street; Lot 036 Block 0041 - **Request for Variance** from rear yard requirements, pursuant to a project that would demolish the existing, largely vacant, one-story building with 8,550 square feet of existing retail space to construct a new four-story building approximately 40 feet high, containing 21 dwelling units and 3,100 square feet of retail space. Twenty-one parking spaces would be located below grade, with vehicular access from Vandewater Street. Section 134(a)(1) requires that a building, which contains dwellings in this district, have a minimum rear yard depth equal to the larger of 25 percent of the lot depth or 15 feet. The subject lot is 120 feet deep and the required rear yard would be 30 feet. The project proposes no rear yard, but substitutes two light courts approximately 25 feet in depth on each side property line at mid-lot. The site is zoned C-2 (Community Business District), in the Northern Waterfront Special Use District #2, and a 40-X Height and Bulk District.
(Continued from Regular Meeting of April 14, 2005)
(Proposed for Continuance to May 5, 2005)

SPEAKER(S): None
ACTON: Without hearing, item continued to May 5, 2005
AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander and Bradford Bell

5. 2004.0916L (M. SNYDER: (415) 575-6891)
900 INNES AVENUE - northeast side between Griffith and Winters Point Boulevard. Assessor's Block 4646 and Lot 007 - **Request for Landmark Designation** under Planning Code Sections 1004.1, 1004.2 as City Landmark No. 250. The subject property is within an NC-2 (Neighborhood Commercial - Small Scale) District and a 40-X Height and Bulk District.
(Continued from Regular Meeting of March 3, 2005)
(Proposed for Continuance to June 23, 2005) May 19, 2005

SPEAKER(S):
Re: Continuance
Alice Barkley

- She would like to have the case continued to a sooner date.

Jill Fox – India Basin Neighborhood Association

- She agrees with the continuance. She as well as the community would like the continuance to a date certain.

ACTON: Without hearing, item continued to May 19, 2005
AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander and Bradford Bell

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption – Draft Minutes of March 24, 2005.

SPEAKER(S): None
ACTON: Approved
AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander and Bradford Bell

7. Commission Comments/Questions

Commissioner W. Lee

Re: Home Depot Project

- He requested a status of the Home Depot project.
- It is his understanding that the discussion at the State Assembly level regarding CEQA changes is the review of the EIR for Home Depot.
- He would like a status of this during the Director's Report.

Commissioner Olague:

Re: Health Impact Assessment

- Even though there was a hearing today on this matter, she would like to schedule a second hearing because she still has a lot of questions.

Commissioner Antonini:

Re: Meetings Scheduled

- He asked for a presentation on the role of the Board of Permit appeals relative to the Planning Commission.
- He also requested a presentation by staff on the relative roles of the Planning Commission, the Redevelopment Agency, and the Port Commission. This would be to get information on the jurisdictional authorities, where the boundaries are, what happens when there are questions that arise that might cross jurisdictions, etc? Is there any agency that oversees the function(s) of all these agencies or commissions?

C. DIRECTOR'S REPORT

8. Director's Announcements

Director Macris reported:

Re: EPS Report

- The EPS report and analysis on the supply and demand of PDR space is available to the public here at the hearing and it is also available on the Planning Department's website.

Re: SF STAT

- The SF STAT program which is the Mayor's program for determining progress made in various departments, is usually scheduled on a quarterly basis.
- Staff will be making a presentation on Monday to the Mayor, staff and other city officials regarding the progress the department is making.
- He will inform the Commission about this also.

Commissioner Olague:

- Will there be a second report to the Commission with EPS on the PDR Study?

Director Macris responded:

- Nothing is scheduled, but he is talking with the Board of Supervisors about whether they would like to have some presentation.
- But there is no plan to have a second presentation.

Commissioner Olague:

- It was her understanding at the first hearing that it was just an overview and when the report was published, there would be a second presentation.

Director Macris responded:

- The next step is to have staff draft a statement that would set the implications of that work and combine both things.
- He could have the previous presenter here to go over the information again and talk about the implications of it.

Commissioner Olague:

- When will it be complete?

Director Macris responded:

- Sometime in May.

Commissioner Antonini:

- He would be interested in hearing this information also.

9. **Review of Past Week's Events at the Board of Supervisors and Board of Appeals
(Reported by the Zoning Administrator):**
BOS –

Re: Harding Theatre

- This appeal was continued a few times.
- The Zoning Administrator and Paul Maltzer of staff withdrew the Negative Declaration so the Conditional Use needs to come back before the Commission.
- A revised Negative Declaration needs to be presented to the project sponsor.
- It seems there is consensus at the Board that this is a good project.

Rules Committee:

- Next Monday there will be a hearing on a moratorium of the medical cannabis dispensers.
- Dan Sider of Planning Department staff will be preparing a report on this and will present it to the Commission perhaps next week.

BOA -

Re: Elections

- Mike Garcia was appointed to the Board Commissioner, Bill Sugaya as President and Commissioner Saunders as Vice President.
- During the Public Comment period the Zoning Administrator expressed the Planning Commission's desire to have a joint hearing with the Board. The Board agreed to this.
- He has not spoken to Secretary Avery or Commissioner Sue Lee on the date but there is a suggestion for early June.

Re: 724 Van Ness Avenue

- The Zoning Administrator made a determination that all units could be turned into condominiums.

- This was very controversial.
- Ultimately the Board upheld his decision which said the market rate units were not deemed to be rental, but that the affordable housing/inclusionary housing units must remain rental.
- There was a +4-0 vote.

Re: 261 26th Avenue

- The Commission found the building to be unsound but disapproved the new construction.
- The Board agreed that the building was unsound but disapproved the new construction because they found that the new units would not be affordable.

10. 2003.0244C

2101 BLOCK OF BRYANT STREET & 2830 20TH STREET - (the site formerly referred to as Bryant Square), located on the block bounded by Bryant, 19th, York, and 20th Streets; Lots 60, 62, and 63 in Assessor's Block 4080 - **Informational Presentation of design changes to the proposed residential project approved under Planned Unit Development Case No. 2003.0244C and Planning Commission Resolution 16660.** The subject property is within both a C-M and an M-1 Zoning District and a 65-B Height and Bulk District.

SPEAKER(S):

(+) Tom Sprinkle – Project Architect

- He displayed photographs of how the site looks now.
- They decided to refine the project a bit trying to model this project as family-oriented.
- They included 40 percent more open space; provided elevator access to the new construction; pushed the project one level down below grade; etc.

(+) Matt Fisher – Palisades Development Group

- They are continuing with dialogue with various community groups.
- Everyone is very excited about the opening of the courtyard.
- The project sponsor will be providing a donation to a non-profit organization.

(+) Alma Robinson – California Lawyers for the Arts

- She is in support of the project.
- She is pleased to be part of the negotiations to make this project more affordable.

(+) Eric Quezada - MAC

- They support the agreement they made through the negotiations on this project.
- For the first time the developers sat down with them in a respectable manner and we have come out with very good agreements.
- This is one of the first family sized developments that has come to the neighborhood that supports community based art, etc.

(+) Robert Pender – San Francisco Tenants Network

- They support this project.

(+) Patrick Everett – Bryant Square Lofts Home Tenants Association

- They support this project.
- Many homeowners have attended the meetings related to this project and support the project.

(+/-) Sue Hestor

- The square footage document in the case report is very confusing.
- The name of the project should be rethought.
- The project really needs architectural review.
- The building should have its design tweaked.
- The big issue is still to preserve PDR space.

ACTION: Informational Presentation Only. No Action.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Joe O'Donoghue – Residential Builders

Re: Public Comment

- Regarding the recent articles in the Chronicle about the manner of public comment: what the newspaper did not say was the issue behind the discussion, which was the unjust way that a 20 year of service to the Department of Building Inspection employee was terminated.
- He believes that the writer of this article is a person who has a problem with the Residential Builders.
- He is happy that there will be a hearing at the Board of Supervisors where many issues like this will be discussed.

Richard Marquez – Mission Street and 6th Street Agenda

Re: Mid-Market Plan

- He applauded the No votes from Commissioner Bradford Bell and Olague last week.
- The Mission, Bay View Hunters Point, and SOMA have suffered declines due to gentrification.
- If not for public housing, SRO and rent controlled apartments, there would be no low-income people living in the City.

E. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: 1223 Bosworth Street

Cristian Hogan – Project Architect

- The Discretionary Review requestor was worried about his view but he [the architect] feels that the project will not block the view or limit the light and air.
- Taking DR would be an abuse to the system.
- It would be impossible to design the house in a three-story envelope because of the very small size.
- He has spent hundreds of hours on the design of this project.
- The proposed home is code compliant.

James Sanguinetti – Discretionary Review Requestor

- He understands that the Commission viewed the video of the previous hearing.
- The proposed home will impact his light and privacy.
- The lot is so extremely shallow that the proposed home will tower over his house.
- It was mentioned that his house is unique, but there are a few houses that sit back into the hill.
- He objects also to the overall mass and height of the proposed project.
- The home would not be in character with the other homes in the neighborhood.

F. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

11. 2004.0893DV (T. TAM: (415) 558-6325)
1223 BOSWORTH STREET - south side between Congo Street and O'Shaughnessy Boulevard, Lot 33A in Block 6706 - **Request for Discretionary Review** for Building Permit Application 2004.11.04.8581 to construct a new three-story-over-garage, single-family dwelling unit on a substandard size lot measuring 25 feet in width by 42 feet in length. The subject property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of March 10, 2005)

NOTE: On March 10, 2005, the Commission voted to Take Discretionary Review and Approve the Project. The motion failed by a vote of +2-2; Commissioners Alexander, Bradford Bell and Hughes were absent. The item was continued to April 7, 2005, to allow the absent Commissioners the ability to participate in final action.

NOTE: On March 10, 2005, the Commission continued this matter to April 7, 2005, to allow absent Commissioners the opportunity to participate in final action. This item was unfortunately left off the April 7, 2005 calendar through Administrative error. Notice was given that this matter was continued to April 21, 2005

SPEAKER(S): None

ACTON: Did not take Discretionary Review and approved the project.

AYES: Antonini, Hughes, S. Lee, W. Lee

NAYES: Olague

ABSENT: Alexander and Bradford Bell

G. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

12. 2005.0020Q (C. NIKITAS: (415) 558-6306)
1124 LEAVENWORTH STREET - east side between California and Sacramento Streets, Lot 015 in Assessor's Block 0247, six dwelling units proposed for a **residential condominium conversion subdivision**, in an RM-3 (Residential Mixed, Medium Density) and a 65-A Height and Bulk District. The proposal is to convert the existing building to a condominium form of ownership and does not involve expansion, alteration, or demolition of the existing building.
Preliminary Recommendation: Approval

SPEAKER(S): None

ACTON: Approved

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

MOTION: 16986

13. 2004.1171Q (C. NIKITAS: (415) 558-6306)
9 REDFIELD ALLEY/906-910 UNION STREET - north side of Union Street, between Jones and Taylor Streets, Lot 004A in Assessor's Block 0099, five dwelling units proposed for a **residential condominium conversion subdivision**, in an RM-2 (Residential Mixed,

Moderate Density) and a 40-X Height and Bulk District. The proposal is to convert the existing building to a condominium form of ownership and does not involve expansion, alteration, or demolition of the existing building.

Preliminary Recommendation: Approval

SPEAKER(S): None

ACTON: Approved

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

MOTION: 16987

14. 2005.0217C (M. LI: (415) 558-6396)
601 BROADWAY - southwest corner at Grant Avenue, Lot 001 in Assessor's Block 0161 - **Request for Conditional Use** authorization to legalize a small self-service restaurant (dba "Yoogo Gelato") of approximately 850 square feet. There will be no physical expansion of the existing building or commercial space. The site is within the Chinatown Community Business District and a 50-N Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTON: Approved

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

MOTION: 16988

H. REGULAR CALENDAR

15. 2004.0346DDD (G. CABREROS: (415) 558-6169)
245 - 23RD AVENUE - west side between California and Clement Streets, Lot 009 in Assessor's Block 1410 - **Requests for Discretionary Review** of Building Permit Application 2005.01.14.3280 to construct two additional stories and a rear horizontal addition to the existing two-story, two-unit building resulting in a four-story, two-unit building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and Approve

SPEAKER(S): None

ACTON: Without hearing, item continued to May 5, 2005

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

16. 2005.0068D (S. VELLVE: (415) 558-6263)
4967-4969 - 17TH STREET - south side between Stanyan and Shrader Streets; Lot 059 in Assessor's Block 1289 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application 2004.11.03.8481 proposing to legalize the merger of two dwelling units into one dwelling unit within a two-unit building in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and disapprove the permit.

SPEAKER(S):

(+) David Clark – Project Sponsor

- If he had known what it entailed to merge two units, he would not have purchased the property.

- He thought that the City of San Francisco was supporting family type housing.

- There was a tenant that was living there and they came to an agreement for this person to leave and he provided benefits to her.
- The Planning Commission should take many things into consideration.
- The entire house has been in great disrepair for many, many years.
- The lower unit is very dismal.
- They used to live in the Mission Street but had to move because of the gang-related activities.
- He hopes that the Commission will approve this project and allow them to continue living in the City they love.

MOTION: To not take Discretionary Review and approve the merger

AYES: Antonini, S. Lee, W. Lee

NAYES: Hughes and Olague

ABSENT: Alexander and Bradford Bell

RESULT: The motion failed

ACTION: Item continued to May 12, 2005 to allow all Commissioners the opportunity to vote.

AYES: Hughes, S. Lee, Olague

NAYES: Antonini and W. Lee

ABSENT: Alexander and Bradford Bell

NOTE: This motion/action was rescinded

ACTION: Item continued to April 28, 2005 to allow most Commissioners the opportunity to participate.

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

- 17a. 2004.1204DV (S. VELLVE: (415) 558-6263)
1420 HAIGHT STREET - north side between Masonic Avenue and Ashbury Street; Lot 005 in Assessor's Block 1232 - **Request for Discretionary Review** of Building Permit Application No. 2003.12.21.3024 proposing to legalize a stair penthouse and elevator mechanical equipment constructed without permits at the rear of the roof of the subject building, which houses Shoe Biz, in the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S):

(-) Mark Brannan – Representing Discretionary Review Requestor

- He is speaking on behalf of the Discretionary Review requestor John Brannan.
- There is a lot of work that was done to the project without permits being issued.
- The project sponsor states that he did not need permits and/or conditional use for the work that he did to his house.
- He submitted letters from neighbors and friends of the Discretionary Review requestor who support the DR.

(-) Matthew Brannan

- He supports the Discretionary Review request.
- The project sponsor has done a lot of work without permits.

(-) Joe O'Donoghue – Residential Builders

- The project sponsor has expanded illegally. No permits were ever taken out.
- This project sponsor should have this expansion denied.

(-) Andrew Smith

- He is very much aware of the rules and regulations for building.
- Merchants who are expanding in this area should be very strictly judged.
- Many builders follow the rules and these should be applied to this sponsor.

(+) Terry Lindall – Project Architect

- He understands that there is an issue here.
- There was a misinterpretation regarding the square footage and the living square footage.
- The parking is not affected because it is a minor overage.

ACTON: Took take Discretionary Review and disapproved the project.

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

- 17b. 2004.1204DV (S. VELLVE: (415) 558-6263)
1420 HAIGHT STREET - north side between Masonic Avenue and Ashbury Street; Lot 005 in Assessor's Block 1232 - **Rear yard and non-complying structure variances sought** per Sections 134 and 188 to legalize a stair penthouse and elevator mechanical equipment constructed without permits at the rear of the roof of the subject building, which houses Shoe Biz, in the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District.

SPEAKER(S): See Speakers for Item 17a.

ACTON: Zoning Administrator Closed the Public Hearing and has taken the matter under advisement.

18. 2005.0255D (M. SMITH: (415) 558-6322)
29 MENDOSA AVENUE - south side between 9th and 10th Avenues, Lot 021 in Assessor's Block 2860 - **Request for Discretionary Review** of Building Permit Application No. 2004.12.01.0467, proposing to construct a vertical addition and façade alterations on a single-family dwelling by horizontally enlarging the existing top floor towards the front of the building, located in a RH-1(D) [Residential, House, One-Family (Detached)] District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed

SPEAKER(S):

(-) Harold Bright – Forest Hill Neighborhood Association

- No one is opposed to the addition; they just want the project to follow the Residential Design Guidelines.
- The proposed second floor would almost build a new structure.
- They are opposed to the fiberglass tub room.
- The structure could be considerably more compact.
- There is no structure of this type anywhere in the neighborhood.

(-) Timothy Tracy – President of the Forest Hill Neighborhood Association

- This matter was discussed extensively and it was decided to oppose the fiberglass addition.
- There are letters in support of the project, but they support the entire project.
- It is important to try to maintain designs and additions that are compatible with the neighborhood.

(-) Kay Yomamoto

- She lives in the neighborhood.
- She does not support the project because the architecture is not compatible with the neighborhood.
- Adding a "look at me" design would be wrong.

(+) Bruce Tomb – Project Designer

- There is substantial support for the project.
- The project is very small.
- They have already made changes in response to the Discretionary Review applicant.
- Numerous designers have reviewed the project and they made no negative comments.

(+) Cathy Hibson

- She lives in the neighborhood.
- There is nothing particular about her house. Many of the houses in the neighborhood have different designs.

(+) William Cramer

- He supports the project sponsor.
- The neighborhood association is proud of the house currently and will continue to be proud after the project is completed.

(+) Hollie Pier – Attorney

- There were a few people that were here to testify in support of the project sponsor but had to leave.
- Opinions on design are always subjective.
- The design is within keeping of the architectural and historical character.
- The project sponsor has worked very hard and very closely with the neighbors.
- She is requesting that the Commission deny the Discretionary Review.

ACTON: Did not take Discretionary Review and approved the project.
 AYES: Alexander, Hughes, S. Lee, W. Lee, Olague
 NAYES: Antonini
 ABSENT: Bradford Bell

19. 2004.1214D (M. SMITH: (415) 558-6322)
422 ARCH STREET - east side between Garfield and Shields Streets, Lot 027 in Assessor's Block 7006 - **Request for Discretionary Review** of Building Permit Application No. 2004.03.26.9714, proposing to construct a two-story horizontal addition at the rear and a one-story vertical addition on top of a single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed

SPEAKER(S):**(-) Anastasia Belikstern – Discretionary Review Requestor**

- The addition will create a wall that will come up to the top of her building.
- The project will impact the light coming to her house.
- She actually should ask for a Variance according to the Building Code.
- The surrounding neighbors do not support the extension.
- She would rather have the project sponsor extend forward.

(-) Eugene (last name unclear)

- He displayed various signatures of people who are opposed to the addition.
- He supports taking Discretionary Review on this project and reducing the size.

(+) Cydney Skooth – Representing Project Sponsor

- She was in compliance with the posting.
- The opposition to the extension of the house is concerned with the light. The sun rises from the East and would not impede the light.

(+) Kilo (last name unclear)

- They have set back six or nine feet already.
- They have altered their plans to accommodate their neighbors.

ACTON: Did not take Discretionary Review and approved the project.
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell

20. 2004.1300C (M. SMITH: (415) 558-6322)
2154 IRVING STREET - northeast corner at 23rd Avenue, Lot 024 in Assessor's Block 1728 - **Request for Conditional Use** Authorization pursuant to Planning Code Section 711.44 to legalize the existing small self-service restaurant (Star's Flower and Tea Shop) that is currently operating at this location, within a NC-2 (Small-Scale Neighborhood Commercial) District, Irving Street Restaurant and Fast-Food Sub-district, and 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Shelley Lew**

- They have served the community for many years.
- The food has always been maintained fresh.
- They have very positive comments from her customers.

ACTON: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 16990

21. 2004.1346C (M. SMITH: (415) 558-6322)
5260 DIAMOND HEIGHTS BOULEVARD - south side between Duncan Street and Gold Mine Drive, Lot 002 in Assessor's Block 7521 - **Request for Conditional Use** Authorization pursuant to Planning Code Section 713.21 to allow the expansion of a non-complying 8,100 square-foot retail space to be occupied by Walgreens further over the permitted use size limitation of 5,999 sq. ft., located in a NC-S (Neighborhood Commercial Shopping Center) District and 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Kevin James – NCG Architecture**

- He displayed various floor plans showing where the store will be located.
- The purpose of the extension is because Walgreen's would like to expand their pharmacy area.
- The area the store will be expanding into is a transitional space in the rear of the store.
- He displayed a rendering of what the project would look like. The sponsor will enhance the pedestrian walkway with more street furniture and landscaping.

ACTON: Approved

AYES: Alexander, Antonini, S. Lee, W. Lee

NAYES: Olague

ABSENT: Hughes and Bradford Bell

MOTION: 16991

22. 2004.0508C (M. SNYDER: (415) 575-6891)
3555 CESAR CHAVEZ STREET - d.b.a. "St. Luke's Hospital", the block bordered by Cesar Chavez Street, Valencia Street, Duncan Street and San Jose Avenue, Lot 001 in Assessor's Block 6575. **Request for Conditional Use** authorization to allow the installation of a Wireless Telecommunications Facility in an RH-2 District as required under Planning Code Sections 209.6(b). The proposed telecommunications facility would consist of six antennas each installed within a stealth vent pipe that would be approximately 16-feet above the roof and 91-feet above grade, and associated equipment cabinets. The WTS facility would be operated by Nextel Communications. The subject property is within an RH-2 (House, Two-family) District, and a 105-E Height and Bulk District. Pursuant to the WTS Facilities Guidelines, the project is a Preference 1 Location Site, a public building.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Corey Alvin – Nextel Communications

- This facility will be a replacement for an existing facility from Nextel Communications.
- The proposed site is lower in elevation and closer to the center of the proposed coverage area.
- The signals seem to stray on higher sights.
- The RF engineers are here for questions.

ACTON: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee

ABSENT: Olague and Bradford Bell

MOTION: 16992

23. 2005.0110C (D. JONES: (415) 558-6477)
3800 24TH STREET - northwest corner of 24th and Church Streets, Lot 014 in Assessor's Block 3651 - **Request for Conditional Use** Authorization under Planning Code Sections 728.49 and 303 to establish a financial service within a 2,050 square foot vacant retail space. The subject property is located in the 24th Street – Noe Valley Neighborhood Commercial District and within a 40-X Height and Bulk District. The Project Sponsor (Sterling Bank and Trust) proposes to establish a financial service into one of two 2,050 square foot retail spaces on the ground floor of a one-story commercial building previously occupied by a laundromat.
 Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Steve Adams – Sterling Bank and Trust

- He hopes that the Commission will approve this site.
- There are five existing branches in the City and they are very active in community organizations.

ACTON: Approved

AYES: Alexander, Hughes, S. Lee, W. Lee

ABSENT: Antonini, Bradford Bell, Olague

MOTION: 16993

Note: The following matter was taken out of order and followed item 17a and b.

24. 2004.1033Z (P. LORD: (415) 558-6311)
ASSESSOR'S BLOCK 0185 REZONING - **Consideration of an Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2**, to change the use district designation of Assessor's Block 0185, Lots, 005, 029, 030, 031, 038, 039, 040, and 041 (mid-block South side of Pacific Street between Hyde Street and Larkin Street) from NC-2 (Small-Scale Neighborhood Commercial District) to RM-1 (Residential, Mixed: Low Density, making finding pursuant to Section 302 and, making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
 Preliminary Recommendation: Approval with modifications

SPEAKER(S):

(+) Supervisor Aaron Peskin

- There is outdated zoning in this area.
- There is a "spotty" ground floor commercial environment in this area.
- The ordinance will require Conditional Use for buildings over 40 feet, require the use of the Residential Design Guidelines, etc.
- The matter has been widely discussed by neighbors.

- There is some level of acceptance for this ordinance.

(+) Robin Prior – Pacific Avenue Neighborhood Association

- She urges preservation of her neighborhood. There are many people that would have come to the meeting but were not able to.
- They are not opposed to the current way that business people conduct business and don't want that to change.

(+) Carolyn Lee – Pacific Avenue Neighborhood Association

- She supports the rezoning.
- She is concerned that the project proposed on Pacific Avenue will affect the neighborhood and this rezoning will allow for consistency.
- Although they support housing, they also support consistency with the Residential Design Guidelines.

(+) Frank Ancona – PANA (Pacific Avenue Neighborhood Association)

- He lives in the area.
- He supports the existing height limits as well as the rezoning of the area.
- The original zoning is obsolete.

(+) Heather Archibald - PANA

- It is important to support the Residential Design Guidelines.
- Rezoning the area would allow for maintaining the character of the neighborhood.

(+) Galen Archibald - PANA

- If this area is not rezoned, it will allow for taller structures that would interfere with the character of the neighborhood.
- It is important for the neighbors to preserve this character and minimize impacts to properties.

(+) Peter Cling

- He is not a resident of the neighborhood but does own a business there.
- He is in support of the rezoning because the proposed project on Pacific Avenue will extremely impact the neighborhood.

(+) Ezra Denney - California Academy of Family Physicians

- They are concerned that the project he is planning will not be conservative and consistent with the nature of the neighborhood.
- He is very concerned with parking in the neighborhood.

(+) Cynthia Townsend

- She has lived on Jackson Street for over 12 years.
- She feels very strongly about supporting this legislation.
- The neighborhood is very diverse and she enjoys this mix.
- By approving this legislation, it would allow for this diversity to be maintained.

(-) Andrew Junius

- The subject lot is one of the largest in the area.
- They displayed a model of the structures in the area.
- He hopes that the Commission will support an RC zoning and not an RM zoning.

(-) Paul Vogatzky

- He took into account all the neighbors concerns.
- He displayed a model of the structures in the area showing how there are many structures that have various heights.

(-) Ariana Vogatzky

- She does not support the rezoning and feels it would be a mistake.

(+) Nancy Swift

- She supports a historic preservation of her neighborhood.

(+) Doug Kain

- This neighborhood is at a "tipping" point.
- The new zoning that the neighborhood is looking for will only continue to preserve the character of the neighborhood.

ACTON: Approved as Modified: Strike RM-1 and Replace with RC-1.

AYES: Alexander, Hughes, S. Lee, Olague

EXCUSED: W. Lee

ABSENT: Antonini and Bradford Bell
 RESOLUTION: 16989

25. 2005.0198X (A. LIGHT: (415) 558-6254)
301 MISSION STREET - south side between Fremont and Beale Street, Lots 1 and 17 in Assessor's Block 3719 - **Request under Planning Code Section 309 (Downtown Code) for Determinations of Compliance and an exception to rear yard requirements (Section 134(d)).** The subject property is located within the C-3-O Zoning District as well as the 550-S and 400-S Height and Bulk Districts. The proposed project is to change the mix of uses and make minor changes to a portion of the building envelope on a previously approved mixed-use project, which was approved for 130,000 square feet of office space in a nine-story mid-rise building; 320 residential units and 120 extended stay hotel suites in a 58-story tower; 9,400 square feet of ground floor retail and 18,710 square feet of public and private open space contained within a base podium element; and four levels of below-grade parking. The previously approved project was so conditioned that if in the judgment and at the discretion of the property owner, the hotel market did not sufficiently justify the operation of the proposed hotel facility, the 120 extended stay hotel units would be authorized for conversion to an equal number of residential units. Therefore, the previously approved project was approved for a total of 440 dwelling units under specific conditions, all contained within the 58-story tower. The modified project would eliminate the office and hotel uses, and would contain a total of 420 dwelling units, placing 54 of these units in the former 130,000 square-foot office building envelope, and 366 larger dwelling units would occupy the entire tower building envelope. The ground level retail space would be reduced to 7,900 square feet, and there would be approximately 6,700 square feet of public open space, although with the removal of the office and hotel uses, no public open space is actually required by the Planning Code. The proposed residential and retail uses would be contained in substantially the same building envelopes as were approved for the previous mixed-use project, with minor changes to the mid-rise building facade and a rear yard exception required for the dwellings within it.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of April 7, 2005)

SPEAKER(S):

(+) Shawn Jeffreys – Project Developer

- They have been working with the Planning Department for many years.
- This will be an excellent project for San Francisco.
- A more desirable use would be residential units and that is what they are proposing.
- There will be about 500 units total brought to San Francisco.

(+) Rev. Cecil Williams – Glide Memorial Church

- They have been working to get housing in the Tenderloin for about 10 years.
- This housing will be affordable and will benefit people who are chronically poor.
- He believes that within the next two years, they will have at least 79 units of affordable housing.
- Housing should be developed which is similar to what they have at Glide Memorial.

(+) Sue Hestor

- Her main issues are that this is part of the Transbay/Rincon Hill area.
- She is concerned with the math that is included in the project report.
- There is also a missing map in the project report, which would show the context of the area.
- Renderings should have the context included.
- She is concerned about the manipulation of the housing units.

ACTON: Approved as Amended: add the additional condition: The project sponsor is volunteering and intends at this time to partner with Glide Memorial Church.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 16994

26.

(L. AVERY: (415) 558-6407)

PLANNING COMMISSION RULES AND REGULATIONS - CONSIDERATION OF AMENDMENT: Article IV, Sections 3 & 6 to address notice and voting; add a new Section 7 to address jurisdiction; renumber remaining section of Article IV.

SPEAKER(S): None

ACTON: Without hearing, item continued to May 12, 2005

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Alexander and Bradford Bell

7:00 P.-M. 7:35 p.m.**PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED**

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time.

SPEAKER(S):

(-) Bruce Allison

- Environmental impact issues are not only trees, flowers and buildings, but also people.
- He demands at least 70 percent of affordability and it should be onsite.

(+/-) Tom Gilberti

- He has lived on Townsend Street for about 17 years.
- At one time, where he lives was the tallest building with 14 stories.
- The buildings will give off noise from the parking garages, ventilation systems, emergency generators, etc.

(-) Patrick Malone

- He lives on Delancy Street.
- He is against the certification of the EIR.
- At the Guy/Lansing corner, the project will be very devastating.
- The charm of these streets lies in the alleys.
- The towers will be built on an inappropriate shallow lot.
- The EIR fails to consider other alternatives.

(+) Neil Mallot

- He is a student of local San Francisco history.
- He knows of this district since 1937.
- He supports this project.

(-) Stafford Parker

- He lives in the Fillmore District.
- He has been homeless for a year now.
- The homeless people are loosing homes and beds.
- There are many people who want a place to live.
- Please do not approve this plan.

(-) Chris Durazo – South of Market Community Action Network

- The EIR does not include the cumulative impacts of the neighborhoods surrounding the Rincon Hill.

- She is very concerned about the traffic. It is impossible to live there because of the parking problems.
- The EIR is out of compliance with the Housing Element.
- About 50 percent of the City's jobs are in SOMA and this is not stated in the EIR.

(-) Bill Murphy

- He lives in a SOMA shelter.
- This grandiose plan does not include low-income people.
- Why not just build a wall around the City, kick out the low-income people and build more condos.
- He is opposed to the certification of the EIR.

(-) Rudy Corpus

- The community of SOMA has gone through a transition.
- He is opposed to the Rincon Hill plan.
- All the people are not getting all the right information.
- There are people that are still struggling to keep the places where they live.
- Decisions should not be made without involving all of the people.

(-) Ken Warner – Trinity Plaza Tenants Association

- He is opposed to the Certification of the EIR.
- Staff failed to respond to the issues he had regarding rental housing.
- A limited community is only concerned with creating condos.
- San Francisco is turning into a Manhattan Island and this is unacceptable to residents of SOMA.

(-) Ellis McDonald

- More places like shelters are needed in the City.
- There are many people who really need a place to live and are in danger living on the streets.

(-) Ed Espanio

- He has seen his neighborhood deteriorate because the cost of living is so high.
- He has two children and has lived in SOMA for many, many years.
- There have been a lot of people who have to move away from the City.
- The community needs to meet eye to eye and discuss the needs of the community.

(-) Gino Height

- He lives in SOMA.
- He does not see anything for the community of SOMA.
- Homeless people should have a voice in their neighborhood.

(-) Teresa Baladas

- She has lived in SOMA all her life.
- She is concerned about her neighborhood.
- She remembers that for a time there were laws against building high-rises, lofts, etc.
- The Commission needs to fight for them. Otherwise, they are not helping the people.

(-) James Collins – South of Market Community Action Network

- This project is a "slap" in the face.
- The community needs to have more input on this EIR.
- The community does not need condos.

(-) Glen Jermyn Andag – Filipino American Development Foundation

- He is involved in many Filipino organizations in the area.
- There are so many problems with lack of jobs, lack of places to live, etc.
- The EIR fails to address the problems of the area.
- The community is facing a lot of strife.
- He urges the Commission to not pass the EIR.

(-) Jano Avanesian – GVS, Inc.

- He has a light manufacturing company in the area.
- The EIR does not address the traffic in the area.
- The EIR does not state the impacts that this project will have on the businesses in the area.

(-) Eric Quezada – Mission Anti-Displacement Coalition

- This is a citywide and regional issue.
- The EIR states that there is no way to predict who will be living in the towers.
- If more affordable housing were constructed in the area it would be easy to predict who would be living in there.
- There are various environmental and health impacts with this project that will affect real people.
- This area is one of the last available areas of the City.

(-) Angelica Canbando - SOMCAN

- She came previously to speak regarding the issues she had on the EIR.
- Is the Commission reaching out to the community?
- She hopes that the Commission will not pass this EIR.

(-) April Monorosso – South of Market Community Action Network

- She hopes that the Commission will really look at the impacts stated in the EIR.
- There is no proposed housing for the low and very low income.
- Increasing Inclusionary housing is important.

(-) Richard Marquez

- Since the 80s this area has been reserved for the more deserving.
- Ample affordable housing could be included in surrounding areas for real people that actually work in area.
- 20,000 residents are planned to live in the Rincon, Mid-Market, etc.

(-) Ted Chow – Chinatown Coalition for Better Housing

- The EIR should include a human impact report.
- There is an affordable housing crisis.
- There are thousands of people who are waiting to receive housing.
- Working families of the City do not benefit from this Rincon Hill Plan.

(-) Eduardo Gonzalez

- He is disabled and lives in a place for disabled people.
- It is very hard to pay high rent when one is sick and losing hope.
- It is not easy for people like him to come out and speak here and talk about affordable housing.
- There are a lot of poor people that can hardly pay rent.

(-) Ada Chan

- She is working on affordable housing in Oakland and two of her first applicants came from San Francisco.
- The demographics of the speakers on the Rincon Hill Plan will reflect the people that will live there yet the people speaking on affordable housing will certainly not be living there.

27.

2000.1081EMTZ

(R. COOPER: (415) 558-5974)

RINCON HILL PLAN – Certification of Environmental Impact Report. The proposed project is a revised Rincon Hill Plan (an Area Plan of the San Francisco General Plan) and revised planning controls for the Rincon Hill area. The San Francisco Planning Department proposes to replace the Planning Code's existing Rincon Hill Special Use District (SUD), as set out in Planning Code Section 249.1, with a new Rincon Hill Downtown Residential Mixed Use District (DTR), which would increase height limits, revise the "R" bulk district, amend the Rincon Hill Area Plan, and make other General Plan and zoning changes intended to stimulate additional high-density, residential development in the Rincon Hill area. Improvements to the streetscape, transportation system and open space would result from implementation of the new Plan. Rincon Hill is in the northeast section of San Francisco, south of the Financial District and Transbay Terminal, and north of the South Beach neighborhood. The project area is bounded generally by Folsom Street, Steuart Street, The Embarcadero, Bryant Street, the Bay Bridge approach and the Transbay Terminal ramps and encompasses about 12 city blocks.

NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 10, 2004. The Planning Commission does not

conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.

Preliminary Recommendation: Certify EIR

ACTON: Item continued to April 28, 2005. Public Hearing Closed.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 28a. 2000.1081EMTZ (R. COOPER: (415) 558-5974)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt CEQA Findings** regarding General Plan Amendments and Planning Code and Zoning Map Amendments pursuant to adoption of the Rincon Hill Area Plan.
 Preliminary Recommendation: Approve Draft Resolution

SPEAKER(S):

Judson True – Legislative Aid – Supervisor Sandoval

- Supervisor Sandoval is Vice Chair of the Land Use Committee
- Supervisor Sandoval has a few issues related to the Rincon Hill Plan: 1) development impact fees for public benefits both within the plan area and citywide; 2) the use of increased revenues from property and transfer taxes; and 3) inclusionary housing requirements associated with the project.
- The Board of Supervisors will look closely at this plan.
- There will be a committee hearing on this plan as well.
- These are the issues that Supervisor Sandoval plans to address: 1) what additional fees will be added per square foot; 2) the impact this plan will have on the residents; 3) he will try to raise the inclusionary requirements as well as the location, etc.

Dee Dee Workman – San Francisco Beautiful

- Her organization has contributed with comments and ideas for this plan for over two years.
- They are very supportive of the plan.
- The only issue they have is a park near a freeway.
- They recommend adopting the plan without exceptions.

Tamar Cooper – San Francisco Beautiful

- They have various environmental concerns regarding the park near the freeway.
- There are studies that state that there are tremendous amounts of pollution near freeways and there should not be any parks near them.

Robin Chiang – San Francisco Beautiful

- He supports the Rincon Hill Plan.
- He hopes that the Commission will move the exceptions because it will set a significant precedent for the Commission.

Michael Alexander – San Francisco Beautiful

- His organization supports the Rincon Hill plan.
- Granting the exception is not fair to the hundreds of people who have participated to craft this plan.
- He urged the Commission not to accept the exceptions.

Jeffrey Liebovitz

- He lives in the area.
- A park should not be located beneath the bridge because that area is not environmentally friendly.
- Sixty eight percent of people are moving into homes, which means they are moving out of their apartments.
- Creating these units will impede people from the purchase of their house.

Alex Wilbur – Theodore Brown and Partners, Inc.

- Many of the units on the Fremont Street project will create an opportunity for purchase.
- A certain amount of fees will go to the San Francisco Unified School District.
- The tax revenue for this project will benefit many organizations.

Alison Pool – Theodore Brown and Partners, Inc.

- She thanked the Commission for grandfathering the 375 Fremont Street project.
- The Fremont Street project will contribute to the City's current housing needs.

Mike Denunzio – D56, Inc.

- He works with the mayor's program to end homelessness.
- He urged the Commission to grandfather the archdiocese project on Fremont Street.
- The archdiocese of San Francisco plays a major role in benefiting communities.

Michael Theriault – San Francisco Building and Construction Trades Council

- Many working class people like this project because it will create jobs.
- He hopes the Commission will approve this project.

Richard Hanlin

- He has been a landlord in North Beach for about 20 years.
- Many of his tenants have purchased property because they were tired of renting.

Marsha O'Bannon – Russian Hill Association

- The proposed plan proposes fair treatment for 375 Fremont Street and other pipeline projects.
- The decision that the Commission makes today will play an important role in future projects.

George Williams - SPUR

- They endorse the Rincon Hill Plan.
- It is important to talk about public benefits but it should not kill a project completely.

Dave Connolly – Sailors' Union of the Pacific

- He manages a building on Harrison Street near Rincon Hill.
- He wants to participate in the development of this plan.
- He supports the plan.

Albert Costa

- Grandfathering the 375 Fremont Street project is the right thing to do because it will lower the cost of housing. It will also provide housing for many people.

Adrian Bradford

- He works with investing in businesses that are just starting out.
- There is a company that he will be financing and one of the issues to deal with is where this company will be located.
- They have been looking in the Fremont Street and Folsom Street areas because it would benefit them greatly.
- He hopes the Commission will "grandfather" the projects in the pipeline.

Collin Mazza – Theodore Brown and Partners

- He thanked the Commission for "grandfathering" the 375 Fremont Street project.
- 375 Fremont Street has been in process for years now.
- The Fremont Street project will provide real housing to real people.

Gregg Miller - Pillsbury

- He thanked the Commission for grandfathering the projects that have been in the pipeline.
- The Fremont Street project will generate millions of dollars of taxes and will provide financial benefits to the San Francisco Unified School district.
- This is much needed tax revenue and benefits.

Steven Aiello – Greenbelt Alliance

- He volunteers with Green Belt Alliance.
- They endorse the Rincon Hill Plan.
- He was born and raised in San Francisco.
- San Francisco is the heart of the Bay Area.

Robert Herr - Pillsbury

- This plan is a great advance for downtown San Francisco.

- San Francisco needs more housing and the only way to achieve this is to go higher and denser.

- There was already a Rincon Hill plan in place but is outdated.

Kate White – San Francisco Housing Action Coalition

- This is a momentous occasion for San Francisco.
- She congratulated the Planning staff for their hard work for so many years.
- They support projects if they accompany open spaces, affordable housing, community space, retail, etc. This is exactly what this plan entails.

Joe Curtin

- He works for an organization in the Castro.
- Does not support high towers that are only for rich people.
- He does support slender towers that will provide benefits to the community.
- He hopes that there are a high percentage of low-income units.

Robert Meyers

- He urged the Commission to approve this plan and “grandfather” 375 Fremont Street.
- This plan will allow a park and a great open space.
- The project sponsor of 375 Fremont Street submitted their permits and plans many years ago. Their project should be decided upon under the old zoning. This project should not be looked at under the same guidelines as this Rincon Hill plan.

John Schlesinger

- They endorse the plan.
- The only issue they have is regarding the exceptions.
- The Commission should approve this plan and not allow exceptions.

Theodore Brown – Brown Brown, LLC

- He submitted plans for a project many years ago.
- The specifics of his project have changed. The zoning of the Rincon Hill area has changed.
- He hopes that the Commission will “grandfather” the projects that have been in the pipeline.
- It would be good to keep Discretionary language in the text.

Ellen Lou – Skidmore, Owings & Merrill

- There are certain points that are critical for this plan. It is very important to specifically locate tall buildings. Towers should be slender. Views should be ensured. If there is not enough space between the towers it would create a wall like use. Being pedestrian friendly is an important issue as well.

Susan Vaughan – Pedestrian Safety Advisory Committee

- The committee endorses the Rincon Hill Plan but also encourages in addition an on demand pedestrian crossing at the pedestrian alley and First Street.
- They would also like to review the pedestrian and traffic proposals for Harrison Street since it had not been finished at the time.
- Eliminating all parking for privately owned automobiles would be a good idea.
- The area is an extremely rich transit area.

Fernando Marti – Asian Neighborhood Design

- The purpose of the plan is to increase housing in San Francisco.
- Yet the EIR states that the project would do little to alleviate the housing needs of the City.

Peter Cohen – Urban Solutions

- This plan is an economic opportunity for community building.
- The Commission needs to look at this enormous packet.
- There is a lot of information on the fee program.
- The Commission should look at the Mello-Roos that could be imposed on future property owners as well as impact fees being charged on current property developments.

Reed Bement – Rincon Hill Residents Association

- He commends the long range planning staff.
- Eliminate the special treatment on Fremont Street because they are not consistent with the rest of the Rincon Hill projects.

Tom Radulovich – Transportation for a Livable City

- There is too much parking in this plan.
- This neighborhood could be made an ecological place for people to live.
- This area has the best public transportation.
- Many people do not own a car.
- Is this housing for San Franciscans?
- It would be a big mistake to approve the pipeline projects on Fremont Street.

John O. Ebenesian

- He owns property in the area.
- He has been working in the area also and is concerned with the traffic.
- The noise level for his business is very difficult.
- He supports this plan but he does not see any consideration of what would happen to small businesses during the process of this plan.
- He commends staff for their hard work.

Sarah Silva – SF Archdiocese

- Many parishioners are worried about housing and income levels.
- She hopes that the pipeline project on Fremont Street will be included in this plan.
- They afford housing at all income levels.

George Wesoleh – SF Archdiocese

- He hopes that the Commission will include the Fremont Street project into this plan. It is a matter of fairness.
- They have spent a lot of money on this.
- He believes that this project really fits with the plan.

Charles Kullman – Old St. Mary's Church

- They are very concerned about community.
- Although they are in favor of the plan, the increase of inclusionary housing is very important.
- Affordable housing is really needed.
- He hopes the Commission will include the pipeline projects on Fremont Street.

Bill Applegate – Catholics for the Common Good

- This is a very good plan.
- He hopes that the Fremont Street project will be included into the project because it is a win, win proposition.
- The project will enhance livability.

Rev. John A. Balleza – St. Patrick's Church

- They have a vested interest in the inclusion to the Fremont Street project because it will ensure more housing for their families.

Eleanor F. Killebrew – Brownbrew

- She hopes that the Commission will include the projects on Fremont Street.
- Plans were submitted three expensive years ago for these projects.
- Each delay causes more money to be lost.

Ben Ortega

- He commended staff for putting on a great project.
- The projects on Fremont Street were submitted about three years ago.
- Staff has recommended that the projects need to conform to the new specific plan and many people want to see this.
- The Commission should approve to include these projects.

Jerry Rampelberg

- He agrees with including the Fremont Street projects with the Rincon Hill plan.
- These projects filed their permits a few years ago.
- It is unfair to ask the project sponsor to revise their plans even though they have abided by all the guidelines.

Duane Carlson – Avalon Bay

- The Fremont Street project should be included into the Rincon Hill Plan because it will allow for more housing.
- The projects will be more comfortable because of the tower separation.

Jim Salinas, Sr. – Carpenter's Union – Local 22

- He urged the Commission to support allowing the two projects on Fremont Street to be included in the Rincon Hill Plan.
 - The jobs provided and the housing are beneficial to the City.
 - It is important to support responsible developers that use union workers.
- (did not state name)**
- Many people have felt disenfranchised because the Rincon Hill Plan has been separate from the other community plans.
 - Rincon Hill is not a new neighborhood.
 - Even though there has been a lot of work done on the plan, there have been surrounding neighborhoods that have been ignored.
 - The plan should respect the look and feel of the Lansing Neighborhood.

Diego Sanchez

- He works in a company that provides affordable housing.
- The Rincon Hill Plan does not deal with the needs of the City of San Francisco much less the residents of the South of Market.
- This plan should not move forward until there has been more dialogue.

Erick Quesada

- There is still a lot to look at in this plan.
- Not one job on this plan should be non-union.
- The working class community will come here to work for union jobs and affordability.

Chis Durazo – SOMEKAN

- She agrees with union jobs.
- The residents of the South of Market feel ignored.
- Access is what the residents want but it seems that the Rincon Hill Plan will be for exclusive people only.
- There are very few parks in the area.

April Veneracion – SOMEKAN

- She does not want to dismiss all the work that staff has done on this plan.
- The discussion here is about equity.
- The plan does not meet the needs of all the residents of San Francisco.
- She is encouraged on the movement of community benefits but she would like to see it first.

Sue Hestor

- The most precious resource of the City is land.
- If 85% of the housing is high-end, the rest of the residents are being ignored.
- South of Market is a place where there should be inclusionary housing.
- There is not a very good transit plan included. The area is not very transit rich.

Azalia Merrell

- She agrees with including the Fremont Street projects in this plan.
- There are many people who are willing and available to start working.

Bob McCarthy

- The projects on Fremont Street did not "drop out of the sky."
- The planning policies of the last 25 years should be respected.
- These projects should be included in the Rincon Hill Plan.

Angelica Cobande – SOMEKAN

- She hopes that the Commission will not forget all the families and residents of South of Market that were here to speak about affordable housing.
- These residents have been here for many years.

ACTON: Hearing held. Public hearing closed. Item continued to April 28, 2005.
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

- 28b. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Rincon Hill Area Plan and other elements of the General Plan** (Revising the Rincon Hill Area Plan and amending the Urban Design and Recreation and Open Space Elements, the Downtown and South of Market Area Plans, and the Land Use Index) pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution

SPEAKER(S): See Speakers for item 28a.

ACTON: Hearing held. Public hearing closed. Item continued to April 28, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 28c. 2005.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Planning Code** (Adding Sections 145.4, 166, 167, 175.7, 309.1, and 827, and amending Sections 102.5, 135, 141, 151, 152, 153, 154, 155, 182, 201, 207.5, 209, 249.1, 260, 270, 603, 608.13, 802.1, 803, 809). Proposed amendments will establish the Rincon Hill Downtown Residential District and make related text changes pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution

SPEAKER(S): See Speakers for item 28a.

ACTON: Hearing held. Public hearing closed. Item continued to April 28, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 28d. 2005.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Zoning Map** (Amending Maps 1,1H, and 1SU). Proposed amendments will establish the Rincon Hill Downtown Residential Mixed-Use ("DTR") District, revise height and bulk districts in the area, and revise the boundaries of the existing "Rincon Hill Residential/Commercial Special Use District" and rename it the "Folsom and Main Residential/Commercial Special Use District" pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution

SPEAKER(S): See Speakers for item 28a.

ACTON: Hearing held. Public hearing closed. Item continued to April 28, 2005.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 28e. 2005.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Planning Code** (Adding Section 318). Proposed amendments will establish "Community Improvements Funds" and "Community Improvement Impact Fees" in Downtown

Residential Districts, and a specific Rincon Hill Community Improvements Fund and Community Improvement Impact Fee pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution

SPEAKER(S): See Speakers for Item 28a.
ACTION: Hearing held. Public hearing closed. Item continued to April 28, 2005.
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

I. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 11:48 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 19, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
EXCUSED: Bradford Bell

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, April 28, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

MAY 27 2005

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COMMISSIONERS PRESENT: Michael J. Antonini, Dwight Alexander, Kevin Hughes, Sue Lee,
William L. Lee, Christina Olague

COMMISSIONERS ABSENT: Shelley Bradford Bell

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:45 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Judy Boyajian – Deputy City Attorney; Amit Ghosh; Michael Li; Sara Vellve; Jonas Ionin; Rick Cooper; Marshall Foster; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2005.01947T (P. LORD: (415) 558-6311)
MESSAGE ESTABLISHMENT DEFINITION AS PER HEALTH CODE AND REQUIREMENTS FOR CONDITIONAL USE AUTHORIZATION - Consideration of an Ordinance amending San Francisco Planning Code Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
(Proposed for Continuance to May 5, 2005)
SPEAKER(S): None
ACTION: Without hearing, item continued to May 5, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

2. 2000.1081EMTZ (R. COOPER: (415) 558-5974)
RINCON HILL PLAN - Certification of Environmental Impact Report. The proposed project is a revised Rincon Hill Plan (an Area Plan of the San Francisco General Plan) and revised planning controls for the Rincon Hill area. The San Francisco Planning Department proposes to replace the Planning Code's existing Rincon Hill Special Use District (SUD), as set out in Planning Code Section 249.1, with a new Rincon Hill Downtown Residential Mixed Use District (DTR), which would increase height limits, revise the "R" bulk district, amend the Rincon Hill Area Plan, and make other General Plan and zoning changes intended to stimulate additional high-density, residential development in the Rincon Hill area. Improvements to the streetscape, transportation system and open space would result from implementation of the new Plan. Rincon Hill is in the northeast section of San Francisco, south of the Financial District and Transbay Terminal, and north of the South Beach neighborhood. The project area is bounded generally by Folsom Street, Steuart Street, The Embarcadero, Bryant Street, the Bay Bridge approach and the Transbay Terminal ramps and encompasses about 12 city blocks.
NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 10, 2004. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.
(Proposed for Continuance to May 5, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to May 5, 2005
AYES: Alexander, Antonini, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell and Hughes
3. 2004.0487C (W. HASTIE: (415) 558-6381)
179 SAN CARLOS STREET - east side, between 18th and 19th Streets, Lot 23 in Assessor's Block 3589 - **Request for Conditional Use** Authorization for the construction of a new three-unit building over 40 feet in height, per Code Section 253. The property is located within an RH-3 (House, Three-Family) District with a 50-X Height and Bulk limit. The proposal is to construct a new three-unit building on a vacant lot with three off-street parking spaces at the ground level.
Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to May 19, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to May 19, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell
4. 2004.0076C: (B. FU: (415) 558-6613)
1350 NATOMA STREET - west side, between 14th and 15th Streets, Lot 089 in Assessor's Block 3548 - **Request for Conditional Use** authorization pursuant to Planning Code Sections 215 and 303 to allow the construction of 8 residential dwelling units in a C-M (Heavy Commercial) District with a 50-X Height and Bulk Designation, and in a Housing/Mixed overlay as designated by Planning Commission Resolution No. 16727. The proposal is to demolish the existing industrial building and construct 8 dwelling units within a new four-story over ground floor parking garage building containing a total of 8 off-street parking spaces.
Preliminary Recommendation: Pending
(Proposed for Continuance to May 19, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to May 19, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

5. 2003.0869E (J. NAVARRETE: (415) 558-5975)
88 FIFTH STREET - THE OLD U.S. MINT - Appeal of Preliminary Mitigated Negative Declaration - The proposed project is the rehabilitation plus seismic upgrade and addition to the United States Old Mint located at 88 Fifth Street in downtown San Francisco (Assessor's Block 3704, Lot 11). The existing three-story plus an occupied attic 99,921-gross-square-foot (gsf) building would be retained, and the first floor courtyard enclosed in 1973 for offices would be removed, (a deduction of 4,336 gsf), and additional circulation bridges, stairs and an elevator (addition of 2,642 gsf) would be added within the existing 4-story courtyard. The existing attic would be expanded on the roof along the south side of the courtyard to create a museum gallery (an addition of 1,554 gsf) with a view of the city skyline to the south. The courtyard removal and additions of bridges and roof gallery would result in an overall reduction of gsf, for a total floor area of 99,788 gsf. The building would include 79,957 square feet if usable space total including: 36,326 sf of City History Museum space, 2,082 sf of Museum office space, 2,045 sf of museum back of house space, 2,044 sf of museum retail, and 3,336 sf of museum theater space. Tenants in the building would be the 8,153 sf Gold Rush and Money Museum, 2,492 sf of small retail lease spaces, and 6,360 gsf of restaurant space and cafe. 3,987 sf would be used for the San Francisco Visitor Center, and the remaining 11,108 sf would be circulation, toilets and support spaces ancillary to the museum use. The project would include closure of Jessie Street to vehicles, between Mint and Fifth Streets, to be used for outdoor restaurant seating. The project site is approximately 47,515 sq. ft., is zoned P (Public) within a 90-X height and bulk district, and within the Mid-Market St. Revitalization and Conservation District. Transaction document approvals would be required from the Board of Supervisors, and a Certificate of Appropriateness would be required by the Landmarks Preservation Advisory Board.
Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of April 7, 2005)
(Proposed for Continuance to May 19, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to May 19, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

6. 2004.1078D (J. PURVIS: (415) 558-6354)
2417 BRYANT STREET - east side south of 22nd Street; Lot 023 in Assessor's Block 4151 - **Request for Discretionary Review** of Building Permit Application No. 2004.02.27.7308 proposing the addition of two full floors for two additional dwelling units to an existing single-family dwelling in an RM-1 (Residential, Mixed, Low-Density) Use District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to June 9, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to June 9, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Bradford Bell

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption – Draft Minutes of March 31 and April 7, 2005.

Minutes of March 31, 2005

SPEAKER(S): None

ACTION: Continued to May 5, 2005

Minutes of April 7, 2005

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

8. Commission Comments/Questions

Commissioner Antonini:

Re: Demolition Policy

- It would be relevant to have this item on the calendar in the near future.
- Perhaps it could be refined a little bit.

Zoning Administrator Badiner responded:

- It would be a good idea to discuss the demolition and unit merger policies since they have never been looked at together.
- He recommends that this be scheduled after the joint hearing with the Board of Appeals, which is scheduled on June 15, 2005. Perhaps we can calendar this the first week of July.

Re: Number of Public Housing Units

- He had made a request of staff to contact the Mayor's Office of Housing to receive information on this topic.

C. DIRECTOR'S REPORT

9. Director's Announcements

Zoning Administrator Badiner reported:

- On Monday, Alicia John-Baptiste and Director Macris reported to the SF STAT group the following:
- Director Macris gave an overview of the recent progress of the department.
- He laid out the areas of highest priority and one of those is the backlog.
- This year there are more applications than last, which contributes to the backlog.
- The applications require more extensive review.
- The plan to address the backlog is to bring aboard more employees, revising fee structures, etc.
- Director Macris laid out what is going on with the long range planning initiatives.
- It was a very positive presentation.

Commissioner Antonini:

- Did any of the information compare with other cities?

Zoning Administrator responded:

- Since this is not a scheduled item, there can be no dialogue but it can be scheduled either next week or the following.
- He recommended that the Commission email questions in order to be better prepared.

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –

Re: Government Relations Committee

- The Board and the Mayor put a moratorium on medical cannabis dispensaries.
- This is part of state law.
- The Planning Department was instructed to report back within 25 days of actions that had been taken to address the concerns.
- One of the things found is that there are about 39 medical cannabis dispensaries in San Francisco. There are about 5 that are delivery only.
- Everybody agreed at the hearing that this is a necessary service that needs some controls.
- A few years ago there were only about 20. Recently there have been a lot more issues to deal with.
- The Mayor requested that some conditions be placed on these dispensaries.
- This discussion will continue and he assumes that there will be more conditions placed.

Re: Sutro Tower

- A categorical exemption was filed and was upheld. So the Discretionary Reviews that had been requested will be rescheduled.

Commissioner Antonini:

- Will the Commission be notified on what process the medical cannabis will take?

Zoning Administrator responded:

- The legislation will come to the Commission as usual.

Commissioner Olague:

- Will the Commission get any information on Supervisor Daly's comments on Rincon Hill?

Zoning Administrator responded:

- He does not know what information Supervisor Daly's has. When it is presented at the Board perhaps that is when his comments can be discussed.

Commissioner W. Lee:

- Are the medical cannabis dispensaries required to get EIR's?

Zoning Administrator responded:

- No, they are not required to do anything related to environmental review.

BOA – None

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

None

E. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or

staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

11. 2005.0092C (K. McGEE: (415) 558-6367)
465 WOOLSEY STREET - northwest corner of Woolsey and Goettingen Streets; Lots 15/16 in Assessor's Block 6118 - **Request for Conditional Use** Authorization to add a childcare facility for up to 39 children in an existing church, Grace Lutheran Church, in an RH-1 (Residential, House, One Family) Zoning District and in a 40-X Height and Bulk District, per Planning Code Section 209.3(f).
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of March 24, 2005)

SPEAKER(S): None
 ACTION: Approved
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell
 MOTION: 16995

F. REGULAR CALENDAR

12. 2005.0096C (J. MILLER: (415) 558-6344)
1160 MISSION STREET - north side between Seventh and Eighth Streets, with additional frontage on Stevenson Street, Lots 37, 38 and 56 in Assessor's Block 3702 - **Request for Conditional Use** authorization to permit additional building square footage above the base floor area ratio of 6.0 to 1 for space devoted to affordable housing units (Planning Code Section 124(f)), in conjunction with construction of a previously approved new, 23-story residential building, in a C-3-G (Downtown General Commercial) District and in 150-S and 240-S Height and Bulk Districts.
 Preliminary Recommendation: Approval with conditions
 (Continued from Regular Meeting of April 7, 2005)

SPEAKER(S): None
 ACTION: Approved with Conditions as Modified: Conditions of Approval, Exhibit A, Item 3 shall be modified as follows: All Conditions of Approval required by the previous approval given by the Planning Commission in Motion No. 16693 shall still apply to this project approval.
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell
 MOTION: 16996

13. 2004.0296EKX (M. LI: (415) 558-6396)
631 FOLSOM STREET - south side between 2nd and Hawthorne Streets; Lot 090 in Assessor's Block 3750 - **Request under Planning Code Section 309 for a Determination of Compliance and Request for Exceptions.** The proposal is to construct a 21-story, 209-foot-high building containing up to 120 dwelling units and a garage with up to 64 parking spaces (36 independently accessible and 28 tandem). The project requires rear yard, wind, height, and bulk exceptions. The project site lies within the C-3-S (Downtown Support) District and a 200-S Height and Bulk District.
 Preliminary Recommendation: Approval with condition
 (Continued from Regular Meeting of April 21, 2005)

SPEAKER(S):
 (+) Glemor Sabold – Project Architect
 - They have worked very hard with the Department and with the neighbors to design a project that everyone would agree with.

- He displayed renderings and floor plans of the project--giving an architectural overview of the project.

(+/-) Ed Townsev – Homeowners of 77 Gouv Place

- He agrees with the project but has some issues with the parking and loading dock.

(+/-) Eric Freights

- He lives and works in the neighborhood.
- He agrees with the City's policy of transit first.
- There are no parking spaces in the area.
- He encouraged the Commission to encourage the 1 for 1 parking policy.

(+) Alice Barkley – Attorney for Project Sponsor

- Folsom Street should be deleted as a location for loading and unloading. It is a very busy street.
- The conditions of approval need to be revised.
- There will be two private car share cars.
- There are an inadequate number of parking spaces.

(+) Joe O'Donoghue

- He supports the project and Ms. Berkley's comments.

(+/-) Jonathan Aspec

- Parking spaces are disappearing during rush hour.
- He supports additional parking spaces as well as the project.

(+) Mike Lewis

- He lives on Bryant Street.
- He supports additional parking.

ACTION: Approved with modified conditions: 1) Delivery/moving trucks utilizing the Dow Place dock shall not block any portion of Dow place at any time; 2) In order to accommodate delivery/moving trucks exceeding 35 feet in length, the Project Sponsor shall require the responsible party, whether it is the homeowners' association or the delivery/moving company, or the homeowner/resident to contact the appropriate City agency (currently the Police Department) and apply for temporary delivery/loading permits on 2nd or Hawthorne Streets. Arrangements with the Police Department must be made at least 5 days in advance of any scheduled deliveries or loading activities.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 16997

- 14a. 2004.1342EXV (M. LI: (415) 558-6396)
693 SUTTER - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - **Request for a Determination of Compliance under Planning Code Section 309 and Request for Exceptions including an exception to the rear yard requirements as permitted in Section 134(d).** The proposal is to convert approximately 7,000 square feet of office space on the fifth and sixth floors of the existing building to six dwelling units. Previously, Section 309 approval was granted for the conversion of the mezzanine and the second through fourth floors from office space to 10 dwelling units. Approval of the current proposal would result in a total of 16 dwelling units, including two BMR units. There will be no physical expansion of the existing building. The project site lies within a C-3-G (Downtown General Commercial) District and an 80-130-F Height and Bulk District. The Zoning Administrator will hold a simultaneous hearing to consider a request for an off-street parking variance.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of April 14, 2005)

SPEAKER(S):

(+) **Simon Kwan – Project Architect**

- The 5th and 6th Floor will be dedicated to housing.
- One bedroom on the 2nd floor facing Sutter Street will be the BMR unit.
- He displayed a floor plan of the BMR unit.

ACTION: Hearing Held. Item continued to May 12, 2005. The Public Hearing Remains Open.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 14b. 2004.1342EXV (M. LI: (415) 558-6396)
693 SUTTER - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - **Off-street parking variance sought**. The proposal is to convert approximately 7,000 square feet of office space on the fifth and sixth floors of the existing building to six dwelling units. There will be no physical expansion of the existing building. The project site lies within a C-3-G (Downtown General Commercial) District and an 80-130-F Height and Bulk District. The parking requirement for the proposed project is two spaces, and the project is proposing zero spaces. The application for variance will be considered by the Zoning Administrator.
 (Continued from Regular Meeting of April 14, 2005)

SPEAKER(S): Same as those listed for Item 14a.

ACTION: Zoning Administrator Closed the Public Hearing and Continued the Item to May 12, 2005.

15. 2005.0068D (S. VELLVE: (415) 558-6263)
4967-4969 - 17TH STREET - south side between Stanyan and Shrader Streets; Lot 059 in Assessor's Block 1289 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application 2004.11.03.8481 proposing to legalize the merger of two dwelling units into one dwelling unit within a two-unit building in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and disapprove the permit.
NOTE: On April 21, 2005, following public testimony, the Commission closed the public hearing and entertained a motion to not take Discretionary Review and approve the project. The motion failed with a +3-2 vote (Commissioners Hughes and Olague voted no and Commissioners Alexander and Bradford Bell were absent). Subsequently, the matter was continued to April 28, 2005 by a +5-0 vote (Commissioners Alexander and Bradford Bell were absent. Public comment will remain open only to address any new or modified information or material.

SPEAKER(S): None

MOTION No. 1: Hearing Held. Continue to May 5, 2005.

AYES: Alexander and Hughes,

NAYES: Antonini, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

RESULT: Motion Failed

MOTION No. 2: Take Discretionary Review and Disapprove Merger

AYES: Alexander, Hughes, Olague

NAYES: Antonini, S. Lee, W. Lee

ABSENT: Bradford Bell

RESULT: Motion Failed

ACTION: Hearing Held. Public hearing closed. Item continued to May 5, 2005 to allow the absent commissioner the opportunity to participate.

AYES: Alexander, Hughes, Olague
 NAYES: Antonini, S. Lee, W. Lee
 ABSENT: Bradford Bell

16. 2005.0226DDDD (S. VELLVE: (415) 558-6263)
60 CLARENDON AVENUE - north side between the Stanyan Street right-of-way and Twin Peaks Boulevard; Lot 023 in Assessor's Block 2688 - **Requests for Discretionary Review and staff-initiated Discretionary Review** of Building Permit Application No. 2004.04.22.2053 proposing to construct a new single-family dwelling on a steeply down-sloping vacant lot. The house would be two stories at the street frontage and five stories at the rear in an RH-1(D) (House, One-Family (Detached Dwelling)) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications
 (Continued from Regular Meeting of April 14, 2005)

SPEAKER(S):

(-) David Levy – Representing 1st Discretionary Review Requestor

- They appreciate the changes that the project sponsor has agreed to.
- They appreciate the fact that the project sponsor put up story poles, although some of the story poles were not accurate.
- This project should receive substantial modifications. The size of the property is too large and it does not comply with the Residential Design Guidelines. It does not meet the requirements of the Planning Code. The building does not step down the hill; it would diminish light and air; etc.
- They request that the Commission take Discretionary Review and either deny the project or request modifications so that the project complies with the Residential Design Guidelines.

(-) Katherine Woof – 2nd Discretionary Review Requestor

- She reviewed the changes to the existing plans and is in accordance with [most] of it. She still wants five feet to be removed from each level.

(-) Mr. Zeneli – 3rd Discretionary Review Requestor

- He knew that there were two legal easements recorded.
- The proposed building will put his house into a tunnel like situation.

(-) Arnold Rockford

- He lives on Clarendon Street.
- His main issues are the height and bulk of the building.

(-) Lawrence Ruff

- He is concerned about this project because the scope and scale is not compatible with the neighborhood.
- He is concerned with the diminished light and air and how that will affect him.
- The project sponsor should further reduce the height of the building.

(-) Richard Margaise

- He is opposed to the project because it is a "monster" home and is out of character with the neighborhood.
- He is surprised that the Planning Department would consider a plan that violates easements.

(+) Jim Reuben – Reuben and Junius

- This is a completely code compliant project.
- There are no exceptional or extraordinary circumstances here.
- The lot is very small and extremely slopes down hill. It is difficult to have enough space on each floor.
- There have been a lot of discussions and negotiations.

(+) (did not state name)

- He has known the project sponsor for many years.

- The project will provide much-needed housing for the City.
- The project sponsor is a great builder.
- There have been several changes to the plans since the project sponsor met with several of the neighbors.

(+) Mark McCain

- He agrees with the previous speaker.
- When the neighbors see what type of quality building this will be, they will agree with the project.

(+) Lou Barberini

- The project will fit into the neighborhood and actually enhance it.

(+) (did not state name)

- The project sponsor has helped him with many projects and is not a liar either.

(+) Lou Balance

- The work that the project sponsor does is excellent craftsmanship.
- The project on Clarendon will be quality craftsmanship as well.

(+) Brian McGee

- The project sponsor is constructing a code-compliant building.
- The Commission should consider that the project sponsor has come a long way.

(+) Greg Clark

- He is a fourth-generation San Franciscan.
- He looked at the legal documents regarding the easement and he did not understand it.
- This project will be a hope that a family can live in.
- It is not right to limit a person to provide space to live in instead of living in boxes.

ACTION: Took Discretionary Review and approved the project per staff recommendations: Require a three foot setback at each floor; a three foot side setback at lower crawl space, remove stair penthouse and provide a hatch.

AYES: Alexander, Antonini, Hughes, W. Lee

NAYES: S. Lee and Olague

ABSENT: Bradford Bell

17. 2005.0262D (J. IONIN: (415) 558-6309)
22 JORDAN AVENUE - east side between California and Euclid Streets; Lot 035 in Assessor's Block 1038 - **Request for Discretionary Review** of Permit Application No. 2004.09.01.3170, proposing to construct rear additions to the existing single-family dwelling at the first and third levels. The ground floor rear addition would extend the rear building wall approximately six feet and the third floor rear addition would extend the third level rear building wall approximately 13 feet 6 inches. Both additions would be set back three feet from the north side property line in an RH-1(D) (Single-family Residential, Detached) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve as proposed.

SPEAKER(S):

(-) Jeremy Paul – Representing Discretionary Review Requestor

- He does not agree with staff's report.
- The proposal is not code compliant and requires multiple variances.
- The site conditions are not discussed in the project report.
- Lot coverage is made irrelevant; therefore, plans are inaccurate and misleading.

(-) Sara Estroquen

- It is an unfortunate beginning for a neighbor-to-neighbor relationship.
- The proposed expansion would detract from the character of the neighborhood.
- The area of their home where they spend the most time is the one that will be most affected by the proposed construction.

(+) Nigel Burns – Project Sponsor

- He wants to do a very modest project.
- He would like to construct a master bath and a kitchen on the ground floor.
- The concerns of the Discretionary Review requestor are of air and light and the suggestions by staff would decrease that impact.

(+) Sherril Cooper Burns

- She and her husband were delighted to find this house.
- They have small children and having more space will allow them to live there for many years.
- Her mom and her husband's parents will be staying with them for extended periods of time.

ACTION: Take Discretionary Review and approve with modifications by flipping the third floor horizontal addition and deck from the north side of the single-family residence to the south side and vice versa.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

18. 2004.1310DD (G. NELSON: (415) 558-6257)
1260 FUNSTON AVENUE (AKA 13TH AVENUE) - east side between Lincoln Way and Irving Street; Lot 031 in Assessor's Block 1738 - **Requests for Discretionary Review** of Building Permit Application No. 2004.09.27.5238 proposing to construct a three-story addition at the rear of a two-story single-family dwelling in an RH-2 (Residential, House, Two-Family) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve project as modified.

SPEAKER(S): None

ACTION: Without hearing, item continued to May 12, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 19a. 2004.0032D (J. PURVIS: (415) 558-6354)
43 HAMILTON STREET - east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2002.10.17.9296 proposing the demolition of a one-story, single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the demolition.

SPEAKER(S): None

ACTION: Without hearing, item continued to June 2, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 19b. 2004.0033D (J. PURVIS: (415) 558-6354)
43 HAMILTON STREET - east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all replacement structures following residential demolition, of Building Permit Application No. 2002.10.17.9298 proposing the construction of a two-story single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 2, 2005
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell

5:30 P.M. 6:15 p.m.

PLEASE NOTE: Regarding the following Rincon Hill Plan items – On April 21, 2005, following public testimony, the Commission closed the public hearing and passed a motion to continue these items for one week (to April 28, 2005) to engage in continued Commission deliberations with the stipulation that there would be no Commission action at that time. The items would then be continued at least one more week (to May 5, 2005) for possible Commission action.

- 20a. 2000.1081EMTZ (R. COOPER: (415) 558-5974)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt CEQA Findings** regarding General Plan Amendments and Planning Code and Zoning Map Amendments pursuant to adoption of the Rincon Hill Area Plan.
 Preliminary Recommendation: Approve Draft Resolution
 (Continued from Regular Meeting of April 21, 2005)
NOTE: See Above

SPEAKER(S):

Sue Hestor

- Regarding the proposed language on the construction progress requirement: this is a dilemma the Commission always faces.
- She suggested that the Commission require automatic calendaring in two years of any case that has a time limit. Otherwise it never gets calendared and can never be revoked because it is not on the calendar. This is a frequent problem with conditional uses.
- Regarding the housing needs: She is continually troubled by the failure to break out above moderate.
- The problem is that the Commission does not have very good information even when the sales prices information is readily available.
- One can get it at the Assessor's office. A planner can get it there as well.
- Also, there should be no in lieu fee. The in lieu fee in the code is based on things all over the city. All of these units are going to be way high-end compared to the rest of the city.

Chris Durazo - SOMEKAN

- She thinks that it would be wonderful to have fees for luxury units.
- People cannot go from rental housing to these luxury units.
- She is concerned about the new affordable construction type.
- There should be an advocate for the South of Market. It is important to have family housing.

Reed Diment – Rincon Hill Homeowner's Association

- The Commission should consider Inclusionary housing in each project. This would involve the Commission's participation and look at this project-by-project.
- The money raised should be for Rincon Hill exclusively.

Steve Vettel – Morrison and Forrester

- Regarding the Meloroose District – it should not be the cause of the delay of this project.
- The language should stay the same as currently drafted.

Lou Blazej

- He echoed Steve Vettel's comments.
- There is a notion to amend Section 315 to function on a square footage basis at a residential level.

Azalia Merrill

- Laborers make about 50 percent of the median income.
- She appreciates Commissioners comments regarding affordability.
- She agrees with "grandfathering" the 375 Fremont Street project because it will provide 50 to 80% of affordability.

ACTION: Meeting Held. No Action Today.

- 20b. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Rincon Hill Area Plan and other elements of the General Plan** (Revising the Rincon Hill Area Plan and amending the Urban Design and Recreation and Open Space Elements, the Downtown and South of Market Area Plans, and the Land Use Index) pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution
(Continued from Regular Meeting of April 21, 2005)
NOTE: See Note above

SPEAKER(S): Same as those listed for item 20a.

ACTION: Meeting Held. No Action Today.

- 20c. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Planning Code** (Adding Sections 145.4, 166, 167, 175.7, 309.1, and 827, and amending Sections 102.5, 135, 141, 151, 152, 153, 154, 155, 182, 201, 207.5, 209, 249.1, 260, 270, 603, 608.13, 802.1, 803, 809). Proposed amendments will establish the Rincon Hill Downtown Residential District and make related text changes pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution
(Continued from Regular Meeting of April 21, 2005)
NOTE: See Note above

SPEAKER(S): Same as those listed for item 20a.

ACTION: Meeting Held. No Action Today.

- 20d. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Zoning Map** (Amending Maps 1,1H, and 1SU). Proposed amendments will establish the Rincon Hill Downtown Residential Mixed-Use ("DTR") District, revise height and bulk districts in the area, and revise the boundaries of the existing "Rincon Hill Residential/Commercial Special Use District" and rename it the "Folsom and Main Residential/Commercial Special Use District" pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution
(Continued from Regular Meeting of April 21, 2005)
NOTE: See Note above

SPEAKER(S): Same as those listed for item 20a.

ACTION: Meeting Held. No Action Today.

- 20e. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Planning Code** (Adding Section 318). Proposed amendments will establish "Community Improvements Funds" and "Community Improvement Impact Fees" in Downtown Residential Districts, and a specific Rincon Hill Community Improvements Fund and Community Improvement Impact Fee pursuant to the Rincon Hill Plan.
 Preliminary Recommendation: Approve Draft Resolution
 (Continued from Regular Meeting of April 21, 2005)
NOTE: See Note above

SPEAKER(S): Same as those listed for item 20a.

ACTION: Meeting Held. No Action Today.

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKER(S):

Ada Chan

Re: More affordable rental housing

- How is Planning going to get more affordable rental housing?
- As the Planning Commission starts to look at strategies, she would ask that you direct staff to look at how they can promote the development of rental housing by the private market.

Eva Edelson

Re: Project by her neighbor

- She lives in a home that her family has owned for 25 years.
- Her neighbor is planning to build a duplex that will completely box her in.
- Her neighbor's application for a Variance has misinformation.
- She also has an issue regarding parking.

Dean Macris responded:

- He asked that she call him so he can direct her to the appropriate person.

David Levy – Morrison and Forrester

Re: Scheduling – 1420 Haight Street

- He was just hired yesterday to represent individuals on this project.
- He is asking that this case be scheduled at a future hearing.
- He was just made available to some information that the Commission was not aware of.

Adjournment: 8:48 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MAY 26, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
EXCUSED: Bradford Bell

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, May 5, 2005

11:00 PM

Special Meeting

The meeting was called to order at 11:15 a.m.

DOCUMENTS DEPT.

JUN 13 2005

SAN FRANCISCO
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PLANNING COMMISSIONERS PRESENT: Michael J. Antonini, Dwight Alexander, Shelley Bradford Bell, Kevin Hughes, Sue Lee, William L. Lee

PLANNING COMMISSIONERS ABSENT: Christina Olague

COMMISSIONERS PRESENT FOR TREASURE ISLAND: Claudine Cheng, Susan Po-Rufino, Jared Blumenfeld; John Elberling; Mathew Franklin; Marcia Rosen

COMMISSIONERS ABSENT FOR TREASURE ISLAND: Jesse Blout

A. GENERAL PUBLIC COMMENT

At this time, members of the public may address TIDA and the Planning Commission on items of interest to the public that are within the subject matter jurisdiction of TIDA and the Planning Commission except agenda items. With respect to agenda items, your opportunity to address TIDA and the Planning Commission will be afforded when the item is reached in the meeting. Each member of the public may address TIDA and the Planning Commission for up to three minutes.

None

B. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address TIDA and the Planning Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address TIDA and the Planning Commission for up to three minutes.

SPEAKER(S):

(+) Steve Corabiel – Executive Director of Tool Works

- He wants the EIR certified opening the way for more economic opportunities on the island.

(+) David Kremer – San Francisco Little League

- He supports the EIR. He wants to get redevelopment going on the island.

(+) Peter Thorner – San Francisco Board Sailing Association

- He has been wind surfing for about 10 years.
- The location off the island is perfect for windsurfing.
- He looks forward to the certification of the EIR.
- This would allow for improvements on the island.

(+/-) Ruth Gravanis

- He does not have any problems with the EIR because improvements can be made.
- She only has the following issues for improving the marina: recycling facilities, readiness program for cleanups, enforcement on signage, availability of a launching facility for kayaks, the Monterey pines might have to be removed, number of cars in the parking areas, etc.
- She hopes that most of the issues will be addressed accordingly.

(+) Ian Lewis – Local 2 – Hotel Worker's Union

- Approving the EIR will allow for first-rate jobs so he hopes the Commissions will approve the EIR.

(+) Sherry Williams – Executive Director for the Homeless Development Initiative

- They are in favor of the EIR document.
- Quick decisions could prevent the island from becoming a ghost town.
- It is unclear to the public how the Planning Commission is involved in the development of the island. Before, Gerald Green was on the Development Authority Board. But there is no representation [from Planning] right now.
- She hopes the EIR is approved.

(-) Eve Back – ARC Ecology

- The document still has a lot of flaws.
- They have taken the position of appealing the EIR because there are still issues to deal with.
- She has concerns with the traffic analysis.

(-) Eugene Brodsky – Citizen's Advisory Board of Treasure Island

- He agrees with the previous speaker.
- There is still the issue of life safety on the island that has not been fully addressed.
- The northwest corner of the island is the most in danger. If there was an earthquake there would be much devastation.
- How would there be an evacuation if the bridge span were to collapse or be inaccessible?
- The issue of emergency preparedness is the most important issue to be addressed.
- The future of the island needs to be addressed as well.

(+) Jim Salinas – San Francisco Building and Construction Trades Council

- He supports the EIR.
- The document is the start of an effort that will benefit the City and County of San Francisco.

(+) Carisa Harris – Treasure Island Sailing Foundation

- They fully support the EIR.
- Moving the project forward by approving the EIR would benefit them greatly.

C. SPECIAL CALENDAR

- TRANSFER AND REUSE OF NAVAL STATION TRESURE ISLAND - Certification of the Environmental Impact Report (EIR)** - The Environmental Impact Report analyzes the potential environmental impacts of the conveyance of former Naval Station Treasure Island (NSTI) from the U.S. Navy to the Treasure Island Development Authority (TIDA). NSTI includes both Yerba Buena Island and Treasure Island, and is located in Central San Francisco Bay, within the jurisdictional boundaries of the City and County of San Francisco. The EIR also analyzes, as a consequence of conveyance, three reuse alternatives based upon the Reuse Plan for NSTI (1996), which includes a variety of public oriented uses such as sports fields, a film production center, conference center, hotels, a themed attraction, educational and child care facilities, a fire fighter training school, public open space, and up to 2,800 housing units. The EIR also evaluates the

expansion of the existing Clipper Cove Marina at a project-level. The Navy has published a separate Final Environmental Impact Statement evaluating the potential environmental effects of the disposal and reuse of NSTI to comply with Federal requirements.

Preliminary Recommendation: Certify Environmental Impact Review

NOTE: *The public hearing on the Draft Environmental Impact Review is closed. The public comment period for the Draft Environmental Impact Report ended on October 21, 2003. TIDA and the Planning Commission do not conduct public review of Final Environmental Impact Reviews. Public comments on the certification may be presented to TIDA and the Planning Commission during the Public Comment portion of the TIDA - Planning Commission calendar.*

ACTION: EIR Certified

AYES: **TREASURE ISLAND:** Claudine Cheng, Susan Po-Rufino, Jared Blumenfeld; John Elberling; Mathew Franklin; Marcia Rosen

ABSENT: Jesse Blout

PLANNING COMMISSION: Michael J. Antonini, Dwight Alexander, Shelley Bradford Bell, Kevin Hughes, Sue Lee, William L. Lee

NAYES: None

ABSENT: Christina Olague

MOTION: 17020

Adjournment: 12:04 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 2, 2005.

SPEAKERS: None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee

EXCUSED: Olague

ABSENT: Hughes

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, May 5, 2005

1:30 PM

Regular Meeting

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JUN 13 2005

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COMMISSIONERS PRESENT: Michael J. Antonini, Dwight Alexander, Shelley Bradford Bell, Kevin Hughes, Sue Lee, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:45 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Amit Ghosh; Craig Nikitas; Mary Woods, Glenn Cabrerros, Sharon Young, Kelley Amdur; Tina Tam; Michael Li; Marshall Foster; Joshua Switsky; Adam Varat; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1a. 2004.1212C

(M. SNYDER: (415) 575-6891)

2839-41 MISSION STREET - a through lot between Mission Street and Lilac Alley between 24th Street and 25th Street, Lot 029 in Assessor's Block 6517 - **Request for Conditional Use** authorization under Planning Code Sections 303 and 161j to convert second story office space into six dwelling units without providing parking. The subject property is within an NC-3 (Neighborhood Commercial, Moderate-Density) District, and a 105-E Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to May 12, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to May 12, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Olague

- 1b. 2004.1212V (M. SNYDER: (415) 575-6891)
2839-41 MISSION STREET - a through lot between Mission Street and Lilac Alley between 24th Street and 25th Street, Lot 029 in Assessor's Block 6517 - **Request rear yard, open space, and exposure variance** (Planning Code Sections 134, 135, and 140) in association with a proposal to convert second story office space into six dwelling units. The subject property is within an NC-3 (Neighborhood Commercial, Moderate-Density) District, and a 105-E Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to May 12, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to May 12, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Olague

- 2a. 2005.0213D (M. SNYDER: (415) 575-6891)
84 SYCAMORE STREET / 50 CLARION ALLEY - a through lot on the north side of Sycamore Street between Valencia Street and Mission Street, Lot 077 in Assessor's Block 3576 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Building Permit Application No. 2003.04.15.2333 proposing to demolish two dwelling unit structures. The property is within an RH-3 (House, Three-family) District, and a 50-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to May 19, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to May 12, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Olague

- 2b. 2005.0214D (M. SNYDER: (415) 575-6891)
84 SYCAMORE STREET / 50 CLARION ALLEY - a through lot on the north side of Sycamore Street between Valencia Street and Mission Street, Lot 077 in Assessor's Block 3576 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new residential buildings in association with residential demolition, of Building Permit Application No. 2003.04.15.2333 proposing to construct a three- unit structure. The property is within an RH-3 (House, Three-family) District, and a 50-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to May 19, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to May 19, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Olague

3. 2005.0209DDD (G. NELSON: (415) 558-6257)
666 20th AVENUE - east side between Balboa and Cabrillo Streets, Lot 010E in Assessor's Block 1625 - **Requests for Discretionary Review** of Building Permit Application No. 2003.02.21.8031, proposing to construct a third-story vertical addition and horizontal addition at the rear of a single-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposal would create a second dwelling unit and a second off-street parking space.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of April 7, 2005)

(PROPOSED FOR INDEFINITE CONTINUANCE)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Olague

B. COMMISSIONERS' QUESTIONS AND MATTERS

4. Consideration of Adoption – Draft minutes from March 31, 2005.
(Continued from the Regular Meeting of April 28, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to May 12, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Olague

5. Commission Comments/Questions

Commissioner Bradford Bell:

Re: 5 de Mayo

- She wished everyone a happy "5 de Mayo".

Re: Jean Paul Samaha (former employee of the Planning Department)

- She wished him a happy birthday.

C. DIRECTOR'S REPORT

6. Director's Announcements

Re: Landmark's Board

- They approved landmark designation for St. Brigit's Church.

Re: Emporium/Bloomingdales

- Commissioner Olague had requested information on this project.

- The Landmarks Board had a hearing on this and the tape is available.

- Unless there is a strong desire from the entire Commission to bring it before them, the project status will remain with the public comment heard at the Landmark's Board.

Re: Case Reports

- There are standard case reports on the computer system.

- After speaking to staff, there was a consensus that these standard case reports are too complicated [to access]. He has spoken to the computer support staff and has asked that they make these standard case reports easier to access.

- There will be a checklist type system implemented as well so that all the reports are more consistent.

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS - None

BOA –*Re: 1234 19th Avenue*

- The Commission denied this demolition. The Commission was overruled +5-0. The appeal for the new construction was continued to June 5, 2005 so that project sponsor can work with the department on the new design.

Re: 2123 Jersey Street

- This was a merger and your decision was overturned +5-0.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

(did not state name) – SPEAK*Re: 1234 19th Avenue – Heard at the Board of Appeals*

- She wants to know what is the policy when something is referred to the Board of Appeals?
- What happens with the case report and the findings that the Planning Commission issued?
- Isn't anything said at the Board of Appeals?
- Although this was a contentious case, there is a point to be made at the Board of Appeals by Planning staff so that the desires of the Planning Commission are transmitted.

David Sasson – US Navy*Re: Various Items*

- There is a very strong group of people who are interested in doing work in the City regarding changing the zoning in some areas of the City.
- This zoning would be to change some garages into retail shops.
- Many people from the media are investigating the Pacific Coast Stock Exchange building. How did this become a place of nudity and exercise? After the occurrence on the pacific coast of Thailand where many people have died...(dialog was unclear).

Sue Hestor*Re: Board of Appeals*

- Section 9, Provisions Governing the Board of Appeals states, "It is the duty of the department to forthwith scrutinize same and within three days notify the Board of Appeals of the people who appeared on the case..."
- This is a serious problem because the Commission has lost many cases.
- Until the joint hearing with the Board of Appeals, there are about five cases that will be turned down because the Commission's information is not transmitted to the Board of Appeals.

E. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

8a. 2004.1049CR

(M. SNYDER: (415) 575-6891)

390 MAIN STREET, THE UNITED STATES POSTAL SERVICE FACILITY - south portion of the block bordered by Main Street, Harrison Street and Folsom Street, Block 001 in Assessor's Block 3746 - **Request for Conditional Use** authorization under Planning Code Section 234.2 to install a Wireless Telecommunications Services (WTS) that would consist of 12 antennas and related equipment for Nextel Communications.

The subject property is within an P (Public) District, a Residential Rincon Hill Subdistrict, and a 150-R / 250-R Height and Bulk District. Pursuant to the WTS Facilities Guidelines, the project is a Preference 1 Location Site, a public building.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
NAYES: Bradford Bell
MOTION: 16998

- 8b. 2004.1049CR (M. SNYDER: (415) 575-6891)
390 MAIN STREET, THE UNITED STATES POSTAL SERVICE FACILITY - south portion of the block bordered by Main Street, Harrison Street and Folsom Street, Block 001 in Assessor's Block 3746 - **Request for Finding of Consistency with the General Plan** pursuant to Section 4.105 of the City Charter for the installation of a Wireless Telecommunications Services (WTS) that would consist of 12 antennas and related equipment on a public building for Nextel Communications. The subject property is within an P (Public) District, a Residential Rincon Hill Subdistrict, and a 150-R / 250-R Height and Bulk District. Pursuant to the WTS Facilities Guidelines, the project is a Preference 1 Location Site, a public building.

SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
NAYES: Bradford Bell
MOTION: 16999

9. 2005.0311C (M. LI: (415) 558-6396)
1303 POLK STREET - northwest corner at Bush Street, Lot 003 in Assessor's Block 0667 - **Request for Conditional Use** authorization to establish a small self-service restaurant (d.b.a. "Mediterranean Spirit") of approximately 970 square feet in a vacant commercial space. There will be no physical expansion of the existing building or commercial space. The site is within the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None
APPROVED: Approved
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
MOTION: 17000

F. REGULAR CALENDAR

10. 2005.0068D (S. VELLVE: (415) 558-6263)
4967-4969 - 17TH STREET - south side between Stanyan and Shrader Streets; Lot 059 in Assessor's Block 1289 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application 2004.11.03.8481 proposing to legalize the merger of two dwelling units into one dwelling unit within a two-unit building in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove the permit.

NOTE: On April 21, 2005, following public testimony, the Commission closed the public hearing and entertained a motion to not take Discretionary Review and

approve the project. The motion failed with a +3-2 vote (Commissioners Hughes and Olague voted no and Commissioners Alexander and Bradford Bell were absent). Subsequently, the matter was continued to April 28, 2005 by a +5-0 vote (Commissioners Alexander and Bradford Bell were absent. Public comment will remain open only to address any new or modified information or material.

On April 28, following additional Commission deliberation, this matter was continued to May 5, 2005.

(Continued from the Regular Meeting of April 28, 2005)

SPEAKER(S): None

APPROVED: Although not properly on calendar, the members of the Commission indicated their desire to revisit this item on May 19, 2005.

- 11a. 2003.1152DV (M. LUELLEN: (415) 558-6478)
329 BAY STREET - south side between Powell and Mason Streets through to Vandewater Street; Lot 036, Block 0041 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.16.9064 - proposing to demolish the existing, largely vacant, one-story building with 8,550 square feet of existing retail space to construct a new four-story building approximately 40' high containing 21 dwelling units and 3,100 square feet of retail space. Twenty-one parking spaces would be located below grade, located in C-2 (Community Commercial) District in the Northern Waterfront Special Use District #2, and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve project as proposed.
(Continued from Regular Meeting of April 21, 2005)

SPEAKER(S):

Catherine Petrin – Friends of Vandewater/Friends of the Tree

- She agrees to withdraw the Discretionary Review request.
- She commended Commissioner Olague and the comments she made regarding the tree.
- She commended the project sponsor's attorney for his comments as well.

ACTION: Discretionary Review Withdrawn

- 11b. 2003.1152DV (M. LUELLEN: (415) 558-6478)
329 BAY STREET - south side between Powell and Mason Streets through to Vandewater Street; Lot 036 Block 0041 - **Request for Variance** from rear yard requirements, pursuant to a project that would demolish the existing, largely vacant, one-story building with 8,550 square feet of existing retail space to construct a new four-story building approximately 40 feet high, containing 21 dwelling units and 3,100 square feet of retail space. Twenty-one parking spaces would be located below grade, with vehicular access from Vandewater Street. Section 134(a)(1) requires that a building, which contains dwellings in this district, have a minimum rear yard depth equal to the larger of 25 percent of the lot depth or 15 feet. The subject lot is 120 feet deep and the required rear yard would be 30 feet. The project proposes no rear yard, but substitutes two light courts approximately 25 feet in depth on each side property line at mid-lot. The site is zoned C-2 (Community Business District), in the Northern Waterfront Special Use District #2, and a 40-X Height and Bulk District.
(Continued from Regular Meeting of April 21, 2005)

SPEAKER(S):

Sue Hestor – Attorney for Friends of Vandewater Street

- She submitted to the Zoning Administrator the conditions of approval that were acceptable to all parties.

David Cincotta – Representing Project Sponsor

- He agrees with the document that Ms. Hestor submitted.
- He thanked all the neighbors for all the meetings that were held.

ACTION: Zoning Administrator closed the public hearing and granted the Variance based on agreements by the involved particulars.

12. 2004.0886D (M. WOODS: (415) 558-6315)
3461-3463 SACRAMENTO STREET - south side between Laurel and Walnut Streets; Lot 024 in Assessor's Block 1020 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2004.05.28.5151, proposing to convert the building's authorized use from two units to one unit. The units to be merged are on the second floor of a mixed use building, in the Sacramento Street Neighborhood Commercial District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and disapprove the proposed dwelling unit merger.

SPEAKER(S):**(+) Tracy Terroga – Project Sponsor**

- She is self-employed and has a business.
- She is in her third housing situation since her divorce a few years ago.
- She understands that the Commission is concerned about housing but she is having a hard time trying to find stability.
- She enjoys the neighborhood and her neighbors and hopes to remain in the area.

(+) Kendall Patton – Attorney – Sideman and Bancroft, LLP

- The project sponsor has brought a healing business to the Sacramento corridor.
- Removal to the unit will not be detrimental to the housing stock since one unit was vacant when the project sponsor purchased the home. The other tenant left willingly.
- The project sponsor will use the upper unit as a single-family home.
- The merger is necessary to correct a design deficiency.
- He feels that the project sponsor has met the criteria required for unit mergers.

(+) Mike Connel – Project Architect

- There are no negative comments from the neighborhood regarding this merger.
- This is just a "no brainer" project.

David Sasson

- The Planning Commission has turned the Pacific Stock Exchange into an equinox with nudity and a gymnasium.

APPROVED: Did not take Discretionary Review and approved the merger.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

13. 2004.0919DV (S. YOUNG: (415) 558-6346)
181 28TH AVENUE - west side between McLaren Avenue and Lake Street; Lot 002 in Assessor's Block 1330 - **Request for Discretionary Review** of Building Permit Application No. 2004.09.14.4137S, proposing to construct a new two-car garage structure entirely within the required rear yard of an existing two-story over basement, single-family dwelling. The proposal is intended to address a Planning Code violation concerning the elimination of off-street parking in the basement level of the main building. The property is located in an RH-1(D) (Residential, House, One-Family Detached) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.

SPEAKER(S):**(-) Michael Ma – Discretionary Review Requestor**

- The project does not meet Variance requirements with regards to extraordinary circumstances, hardship, etc.
- The project sponsor voluntarily converted the garage to habitable space.
- The alley would be the passageway for the cars to come into the proposed garage.
- Each of the houses has a garage underneath. That is the typical pattern of the homes in the area.
- If this project were approved, it would set a precedent for the rest of the houses in the neighborhood.
- He urged the Commission to not approve the Variance or the project.

(-) Sue Hestor

- She is very concerned about the burdenship to the Discretionary Review requestor since it should be on the Project Sponsor.
- All the houses in the area have similar fronts and similar backs.
- If this project is approved, it will set a precedent.
- The Planning Department has to do some corrective measures with the previous approval.

(-) name - navy

- He supports the Discretionary Review requestor -- garages are for cars.
- A neighborhood has to keep their look and feel.

(-) Joan Lumis

- She lives on 29th Avenue.
- She submitted a letter in opposition to the proposed project.
- When the project sponsor previously converted the garage, they did not receive any notice.
- She has spoken to various people in the Planning Department and the Department of Building Inspection and was told that someone had made a mistake and the project had been erroneously approved.
- This project should therefore not move forward.

(-) John Gibbons

- He lives in the neighborhood.
- He was not aware that the project sponsor was going to convert the garage to living space.
- People that appear with "unclean hands" before the Commission should not have their project approved.
- There are many people that have done construction work but have done it playing by the rules.

(+) Craig McGay – Project Sponsor

- He and his wife are the owners of the property.
- He initiated restoration of his property to maximize the use of indoor and outdoor space, and to provide a safe indoor and outdoor environment for his children. He wants to continue a high point renovation of his house.
- He submitted plans for the previous construction and received the over-the-counter permit and completed the project. He was shocked to receive a termination of this permit.
- He then tried to rectify it and was allowed to continue the work.
- He wanted to preserve the exterior of the home but maximize the interior as much as possible.
- There are houses in the neighborhood that have garage entrances in the alley.
- Various neighbors support his project.

(+) Dr. Wendy Robbins – Project Sponsor

- It is very important for her and her husband to complete the project to provide safety for her family.

- Currently the space where the garage is proposed is an "eye sore" as well as dangerous.
- She was shocked to read the information that Ms. Sue Hestor presented to them.
- There is no such intent of conspiracy here.
- She urged the Commission to allow them to continue the construction of the garage.

APPROVED: Took Discretionary Review and disapproved the project.

AYES: Alexander, Bradford Bell, Hughes, S. Lee, Olague

NAYES: Antonini and W. Lee

14. 2004.0346DDD (G. CABREROS: (415) 558-6169)
245 - 23RD AVENUE - west side between California and Clement Streets, Lot 009 in Assessor's Block 1410 - **Requests for Discretionary Review** of Building Permit Application 2005.01.14.3280 to construct two additional stories and a rear horizontal addition to the existing two-story, two-unit building resulting in a four-story, two-unit building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.
(Continued from Regular Meeting of April 21, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to May 19, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Olague
15. 2004.0560D (G. CABREROS: (415) 558-6169)
251 28TH AVENUE - west side between Lake and California Streets, Lot 005 in Assessor's Block 1388 - **Request for Discretionary Review** of Building Permit Application No. 2004.02.13.6414, proposing to construct a two-story rear addition to an existing two-story, single-family houses in an RH-1(Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and Approve with Modifications.
- SPEAKER(S): None
APPROVED: Without hearing, item continued to May 19, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
ABSENT: Olague
16. 2005.0001D (G. CABREROS: (415) 558-6169)
146 18TH AVENUE - east side between Lake and California Streets, Lot 034 in Assessor's Block 1377 - **Request for Discretionary Review** of Building Permit Application No. 2004.09.07.3431, proposing to construct a three-story rear addition and add a second dwelling unit to an existing three-story, single-family houses in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.
- SPEAKER(S): None
APPROVED: Discretionary Review Withdrawn

- 17a. 2003.0996D (G. CABREROS: (415) 558-6169)
1314-16 LYON STREET - east side between Geary Boulevard and Post Street; Lot 021 in Assessor's Block 1081 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2003.02.21.8063, proposing to demolish a two-unit, two-story building in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.

SPEAKER(S):

(+) Mark Brandt – Project Architect

- By the time he was hired for this project, the Commission had adopted their demolition policy.
- He received instructions by the planner to revise the design of the project and they did.
- He hopes that the Commission will approve the demolition of this substandard building and approve the proposed new construction.

(+) David Sasson

- He wants to know if the proposed project will allow retail?

APPROVED: Did not take Discretionary Review and approved the demolition.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Olague

- 17b. 2003.0343D (G. CABREROS: (415) 558-6169)
1314-16 LYON STREET - east side between Geary Boulevard and Post Street; Lot 021 in Assessor's Block 1081 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2002.10.03.8125, proposing to construct a two-unit, four-story building in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.

SPEAKER(S): See Speakers for Item 17a.

APPROVED: Did not take Discretionary Review and approved the project.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

ABSENT: Olague

- 18a. 2004.1341EXCV (K. AMDUR: (415) 558-6351)
715-719 AND 721 MARKET STREET - south side between 3rd and 4th Streets, Lots 063 and 064 in Assessor's Block 3706 - **Request for Determinations of Compliance and Request for an Exception** to the rear yard requirement under Planning Code Section 309 as permitted in Code Section 134(d) for a proposed project consisting of the conversion of two existing adjacent buildings, one with 7 stories and one with 2 stories, to a mix of uses including up to 45 dwelling units, up to 45 parking spaces, three ground floor retail spaces totaling approximately 4,000 sq. ft. and approximately 5,300 sq. ft. of office space in the basement and on the ground floor. Common usable open space would be provided on the roof of the 7-story building. The Project also requires concurrent hearings for Conditional Use authorization and before the Zoning Administrator for a variance from Code-required dwelling unit exposure. The project site is within a C-3-R (Downtown Retail District), and a 120-X Height and Bulk District. Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) **Jim Reuben – Reuben and Alter**

- There is no controversy here and I am available for questions.

(+) **Chris Subsick**

- This project will blend well with the cultural developments going on in the area.

- The units lay out very well in every aspect.

- The building has its attributes as a residential building.

- He is available for questions.

APPROVED: Approved with an additional Condition of Approval: within one (1) year of full occupancy of the project, the project sponsor shall submit to the Department a survey indicating residency patterns, occupancy patterns, to the best extent the project sponsor can.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17001

18b. 2004.1341EXCV

(K. AMDUR: (415) 558-6351)

715-719 AND 721 MARKET STREET - south side between 3rd and 4th Streets, Lots 063 and 064 in Assessor's Block 3706 - **Request for Conditional Use authorization** under Planning Code Sections 303, 151, 204.5 and 157 to allow parking in excess of the amount allowed as accessory, for a proposed project consisting of the conversion of two existing adjacent buildings, one with 7 stories and one with 2 stories, to a mix of uses including up to 45 dwelling units, up to 45 parking spaces, three ground floor retail spaces totaling approximately 4,000 sq. ft. and approximately 5,300 sq. ft. of office space in the basement and on the ground floor. Common usable open space would be provided on the roof of the 7-story building. The Project also requires concurrent hearings for Determinations of Compliance and Approval of an Exception under Section 309 and before the Zoning Administrator for a variance from Code-required dwelling unit exposure. The project site is within a C-3-R (Downtown Retail District), and a 120-X Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): Same as those listed for item 18a.

APPROVED: Same Approval as 18a.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17002

18c. 2004.1341EXCV

(K. AMDUR: (415) 558-6351)

715-719 AND 721 MARKET STREET - south side between 3rd and 4th Streets, Lots 063 and 064 in Assessor's Block 3706 - **Request for a Variance** from the Code requirements for dwelling unit exposure (Section 140) for a proposed project consisting of the conversion of two existing adjacent buildings, one with 7 stories and one with 2 stories, to a mix of uses including up to 45 dwelling units, up to 45 parking spaces, three ground floor retail spaces totaling approximately 4,000 sq. ft. and approximately 5,300 sq. ft. of office space in the basement and on the ground floor. Up to 17 of the units would not meet the requirements of Section 140. Common usable open space would be provided on the roof of the 7-story building. The Project also requires Conditional Use authorization to allow parking in excess of the amount allowed as accessory, and Section 309 Determinations of Compliance and approval of an Exception to the rear yard requirement. The project site is within a C-3-R (Downtown Retail District), and a 120-X Height and Bulk District.

SPEAKER(S): Same as those listed for Item 18a.

APPROVED: Zoning Administrator closed the public hearing and granted the variance.

- 19a. 2004.0953EKVHX (K. AMDUR: (415) 558-6351)
74 NEW MONTGOMERY STREET - west side between Jessie and Ambrose Bierce Streets, Lot 033 in Assessor's Block 3707 - **Request for Determinations of Compliance and Request for Exceptions** under Planning Code Section 309 including an exception to the rear yard requirement as permitted in Code Section 134(d), and an exception to the independently accessible parking space requirements set forth in Code Section 155(c), for the proposal to convert the interior of the historic Call Building from office to residential use and to construct a new penthouse addition on the roof of the building. The project would retain and restore the building's historic exterior. Floors 2-7 would be converted to approximately 102 units and four (4) units would be added in a new penthouse constructed on the roof, for a total of approximately 106 dwelling units. Existing ground floor commercial space would be retained, and some new retail space would be provided facing Jessie St. Usable open space would be provided on the roof. The Project also requires concurrent hearings for approval of a Permit to Alter for the addition of the penthouse story to a Category I building and before the Zoning Administrator for a variance from Code requirements for dwelling unit exposure, and for provision of fewer parking spaces than required. This Project lies within a C-3-O (Downtown Office) District, and is within a 150-S and 300-S Height and Bulk District. Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+ Mike Kelley – MK Equity Group

- He is representing the project sponsor.
- The contractor specifying in historic preservation is available for questions.
- The historic exterior is intact.
- The ground floor will stay intact and will contain retail use.
- The project has received a lot of support.

(+ Kate White – San Francisco Action Coalition

- They support 74 New Montgomery.
- The parking requirements are an example of projects in areas with public transportation.
- This area is always encouraging downtown housing.

(+ Azalia Merrill – Carpenter's Union

- This project provides an opportunity for people to live in the area they work in.
- She is excited to know that the Call Building will be put to good use.
- This area is very well served by MUNI.
- She hopes that this project will be approved.

APPROVED: Approved with an added Condition: within one (1) year of full occupancy of the project, the project sponsor shall submit to the Department a survey indicating residency patterns, occupancy patterns, to the best extent that the project sponsor can.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
 MOTION: 17003

- 19b. 2004.0953EKVHX (K. AMDUR: (415) 558-6351)
74 NEW MONTGOMERY STREET - west side between Jessie and Ambrose Bierce Streets, Lot 033 in Assessor's Block 3707 - **Request for a Permit to Alter** a seven-story Category I Preservation Building under Planning Code Section 1111, to convert the interior from office to residential use and to construct a new penthouse addition on the roof of the building. The Project would reuse the historic Call Building, and retain and restore the building's historic exterior. Floors 2-7 would be converted to approximately 102 units and four units would be added in a new penthouse constructed on the roof, for a total of approximately 106 dwelling units. Existing ground floor commercial space would be retained, and some new retail space would be provided facing Jessie St.

Usable open space would be provided on the roof. The Project also requires concurrent hearings for Determinations of Compliance and the approval of two Exceptions under Section 309, and before the Zoning Administrator for a variance from Code requirements for dwelling unit exposure, and for provision of fewer parking spaces than required. This Project lies within a C-3-O (Downtown Office) District, and is within a 150-S and 300-S Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): Same as those listed for Item 19a.

APPROVED: Approved with an added Condition: within one (1) year of full occupancy of the project, the project sponsor shall submit to the Department a survey indicating residency patterns, occupancy patterns, to the best extent that the project sponsor can.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17004

- 19c. 2004.0953EKVHX (K. AMDUR: (415) 558-6351)
74 NEW MONTGOMERY STREET - west side between Jessie and Ambrose Bierce Streets, Lot 033 in Assessor's Block 3707 - **Request for Variances** from the Code requirements for dwelling unit exposure (Section 140) and parking (Section 151) for the proposal to convert the interior of the historic Call Building from office to residential use and to construct a new penthouse addition on the roof of the building. The project would retain and restore the building's historic exterior. Floors 2-7 would be converted to approximately 102 units and four (4) units would be added in a new penthouse constructed on the roof, for a total of approximately 106 dwelling units. Existing ground floor commercial space would be retained, and some new retail space would be provided facing Jessie St. Usable open space would be provided on the roof. Up to 50 of the dwelling units would not meet the requirements of Section 140, and the proposed parking garage would only accommodate 17 cars independently-accessible when 27 are required by Code. The Project also requires by Code. The Project also requires concurrent hearings before the Planning Commission for approval of a Permit to Alter for the addition of the penthouse story to a Category I building and for Determinations of Compliance and approval of Exceptions (for rear yard and independently-accessible parking), and approval of a Permit to Alter for the addition of the penthouse story to a Category I building. This Project lies within a C-3-O (Downtown Office) District, and is within a 150-S and 300-S Height and Bulk District.

SPEAKER(S): Same as those listed for Item 19a.

APPROVED: The Zoning Administrator closed the public hearing and granted the dwelling unit exposure and parking variances.

20. 2005.0194T (P. LORD: (415) 558-6311)
MESSAGE ESTABLISHMENT DEFINITION AS PER HEALTH CODE AND REQUIREMENTS FOR CONDITIONAL USE AUTHORIZATION - **Consideration of an Ordinance amending San Francisco Planning Code Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 to define massage establishments per Section 1900 of the Health Code**, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
 Preliminary Recommendation: Approval
 (Continued from Regular Meeting of April 28, 2005)

SPEAKER(S):

(+) Supervisor Fiona Ma

- The criminal activity of massage establishments should be controlled.
- There are a number of people being smuggled into the country to work in massage establishments for prostitution.
- This amendment would allow the establishment of legitimate massage parlors.

(+) Linnette Haynes - SAGE

- They work with victims of human trafficking--which is defined as modern day slavery--and are working to stop it.
- People who are smuggled into the country are experiencing various problems in their country of origin. These people are looking for a better life.
- Traffickers do not discriminate. They smuggle men and women.
- She is in favor of this ordinance.

(+) Norma Hotaling - SAGE

- They are involved with trying to stop international and domestic trafficking of people.
- Many of the people who are smuggled are told lies and are brought into the country for prostitution.

APPROVED: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17005

- 21a. 2005.0097CV (T. TAM: (415) 558-6325)
890 VIENNA STREET - southwest corner of Vienna and Amazon Streets; Lot 3 in Assessor's Block 6353 - **Request for a Conditional Use** authorization pursuant to Planning Code Sections 209.3 and 303 to allow the establishment of a day care facility for up to 49 children (Little Eagles Catholic Preschool), an institutional use in "O'Keefe Hall," a building presently used by the parish of the Church of the Epiphany. The property is located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Michael Prada - School Principal

- He hopes that the Commission will support this project.
- They have had a lot of support for this project.
- The school has done a lot of traffic abatement for many years.
- Regarding traffic, there is plenty of staff available during arrival and dismissal of the students.

APPROVED: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17006

- 21b. 2005.0097CV (T. TAM: (415) 558-6325)
890 VIENNA STREET - southwest corner of Vienna and Amazon Streets; Lot 3 in Assessor's Block 6353 - **Request for a Parking Variance** pursuant to Planning Code Sections 151 and 305 to allow the absence of parking whereas a total of two (2) off-street parking spaces are required. The variance will be heard before the Zoning Administrator concurrently with the Commission's consideration of the Conditional Use authorization on May 5, 2005.

SPEAKER(S): Same as those listed for Item 21a.

APPROVED: Zoning Administrator closed the public hearing and granted the variance.

6:30 P.M. 6:45 P.M.

G. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

Re: Resolution – Item 23f:

Chris Durazo - SOMCAN

- She is concerned about a few issues: She feels the \$3.00 fee as a citywide impact fee for open spaces is just a PR piece; She feels the first resolve should be eliminated and the second one should be revised.

George Westlake – Archdiocese of San Francisco

- Many of the parishes have been working for many years for more affordable housing in the City.
- This resolution is the right step in that direction.

Ken Warner – Trinity Plaza Resident's Association

- This resolution does no good for people who cannot afford to buy a home in San Francisco.

April Veneracion – SOMCAN

- It is important to emphasize that Rincon Hill is a broader South of Market community.
- The impact fee should be directed specifically to the South of Market.
- On the last paragraph: If a Mello-Roos is pursued, the cost savings to the developer should be based on the local impact fee.
- Commissioner Sue Lee requested sites for affordable housing. She would like to see that information discussed today.

Barbara Long – Senior Housing Action Committee

- They adopted the platform for the South of Market.
- The South of Market Seniors have asked for jobs and housing for them – this could be added to the resolution.
- The community stabilization fund should be in the control of the South of Market area and not used throughout the city.

Calvin Welch – Council of Community Housing Coalition

- There is no date certain in the fourth paragraph of the resolution.
- The Commission should stipulate a specific date when the mitigations are to be decided upon.

Judith Baker – South of Market Child Care

- Her organization has adopted the community platform.
- She is glad that there will be first-source hiring, but housing also is very important.
- The mitigation measures should benefit the South of Market.

Sue Hestor

- There needs to be major improvements in the area.
- If the housing burden is shifting in the South of Market, then there should be improvements in the area as well.
- The Commission needs to communicate all this to the Board of Supervisors.

Reed Bement – Rincon Hill Residents Association

- The surrounding areas should benefit from the development impact fees.
- The affordable housing should be inclusionary.
- Funds should go to the Rincon Hill and immediate South of Market area.

Diego Sanchez – South of Market Community Coalition

- They hosted a meeting with planning staff. It was mentioned at the meeting that the impact fees could go as high as \$25.00.

- It would be great to get that extra "chunk!"
- It is important to go back to the drawing board and find out where the \$25.00 is.

Re: On the various proposed project actions listed below – items 22 and 23a-e:

Douglass Perry – Construction and Building Trades Council

- He hopes that these projects are approved as well as the ones in the pipeline. This will provide much needed housing and much needed jobs.

Theodore Brown – Project Sponsor for 375 Fremont Street

- He thanked staff and the Commission for getting his project in the pipeline.

Brendan Donagan – Architect

- He has two projects in the area.
- Allowing 375 and 399 Fremont to go forward is the right idea.
- This way there will be more housing instead of less.

Chris Durazo – SOMCAN

- She urged the Commission to look at the issue of cumulative impacts in the neighborhood.
- These towers will be high density.
- She urges the Commission not to pass the EIR. It will come back again if the issues are not dealt with.

Barbara Long

- This is a very important moment for San Francisco. It will open the doors to different building developments for wealthy people.

Glenn German

- He is disappointed with how the night is going right now.
- The Commission is taking a disenfranchised community and hurting it further.

April Veneracion – SOMEKAN

- She is very disappointed and encourages the Commission to revise the previous conversation or not pass the plan.
- Supervisor Maxwell was in support of their platform.
- She hoped that the Commission would send a strong message and not have to go through the Board of Supervisors.
- There are tremendous City benefits to this plan and they should be implemented.

Mike Thereau

- He thanked staff for this plan and their efforts to include pipeline projects in the plan.
- He looks forward to moving on to the next steps.
- There will be much needed money brought to the City.

Jim Salinas

- He is glad that all of the issues have been "washed" out.
- He thanked staff for having incorporated the pipeline projects into the plan.
- There are critical housing needs in this City.

Michael Alexander – San Francisco Beautiful

- They support this plan but also want the Commission to look at the long-term affects of it.
- There are always going to be people who will ask for exceptions.
- The opportune time to say "no" is now.

Greg Miller

- He thanked staff for allowing the pipeline projects to be included.

Robert Meyers

- The pipeline projects are consistent with the Rincon Hill plan.
- This would allow for much needed housing to begin right away.

Ken Warner – Trinity Plaza Tenants Association

- How many people read his article in Beyond Chron regarding Rincon Hill?
- If the Commission votes yes to certify the EIR, people will take it to court.

Reed Bement – Rincon Hill Tenants Association

- He has made suggestions to improve the plan and one of those would be to not include the two projects on Fremont Street.
- He urged the Commission to do what is fair for the residents of the Rincon Hill area.

Jeffrey Libovitz

- There are a few exciting projects going on in the area.
- It is important to see the needs of the South of Market.
- Improvements are needed in the infrastructure, community developments, etc. in the South of Market.

Sue Hestor

- She requested no pipeline exceptions.
- 60% rental is even high. Families that exist in the South of Market will be eliminated.
- Low-income people have kids.
- The EIR is not based on a real world.

Azalia Merrill – Carpenter's Union

- As a mother of three and a native San Franciscan she appreciates the comments for affordable housing.
- Affordability can be sustained by projects.
- She hopes that pipeline jobs are allowed to go through instead of pausing them and causing for rates to rise.

F. REGULAR CALENDAR

PLEASE NOTE: Regarding the following Rincon Hill Plan items – On April 21, 2005, following public testimony, the Commission closed the public hearing and passed a motion to continue these items for one week (to April 28, 2005) to engage in continued Commission deliberations with the stipulation that there would be no Commission action at that time. The items were then continued to May 5, 2005, for possible Commission action.

22. 2000.1081EMTZ

(R. COOPER: (415) 558-5974)

RINCON HILL PLAN - Certification of Environmental Impact Report. The proposed project is a revised Rincon Hill Plan (an Area Plan of the San Francisco General Plan) and revised planning controls for the Rincon Hill area. The San Francisco Planning Department proposes to replace the Planning Code's existing Rincon Hill Special Use District (SUD), as set out in Planning Code Section 249.1, with a new Rincon Hill Downtown Residential Mixed Use District (DTR), which would increase height limits, revise the "R" bulk district, amend the Rincon Hill Area Plan, and make other General Plan and zoning changes intended to stimulate additional high-density, residential development in the Rincon Hill area. Improvements to the streetscape, transportation system and open space would result from implementation of the new Plan. Rincon Hill is in the northeast section of San Francisco, south of the Financial District and Transbay Terminal, and north of the South Beach neighborhood. The project area is bounded generally by Folsom Street, Steuart Street, The Embarcadero, Bryant Street, the Bay Bridge approach and the Transbay Terminal ramps and encompasses about 12 city blocks.

NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 10, 2004. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.

(Continued from the Regular Meeting of April 28, 2005)

SPEAKER(S): None

APPROVED: Approved certification

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17007

- 23a. 2000.1081EMTZ (R. COOPER: (415) 558-5974)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt CEQA Findings** regarding General Plan Amendments and Planning Code and Zoning Map Amendments pursuant to adoption of the Rincon Hill Area Plan.
Preliminary Recommendation: Approve Draft Resolution
(Continued from Regular Meeting of April 28, 2005)

SPEAKER(S): None

APPROVED: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

RESOLUTION: 17008

- 23b. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Rincon Hill Area Plan and other elements of the General Plan** (Revising the Rincon Hill Area Plan and amending the Urban Design and Recreation and Open Space Elements, the Downtown and South of Market Area Plans, and the Land Use Index) pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution
(Continued from Regular Meeting of April 28, 2005)

SPEAKER(S): None

APPROVED: Approved as amended:

Ordinance Amending the General Plan

Page 44.

Edit new Objective 7.3 to read: *"Objective 7.3: Use local South of Market residents and First Source employees and provide adequate job training, especially for South of Market residents, for new construction and post-construction jobs created from new development to the maximum extent feasible."*

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

RESOLUTION: 17009

- 23c. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Planning Code** (Adding Sections 145.4, 166, 167, 175.7, 309.1, and 827, and amending Sections 102.5, 135, 141, 151, 152, 153, 154, 155, 182, 201, 207.5, 209, 249.1, 260, 270, 603, 608.13, 802.1, 803, 809). Proposed amendments will establish the Rincon Hill Downtown Residential District and make related text changes pursuant to the Rincon Hill Plan.
Preliminary Recommendation: Approve Draft Resolution
(Continued from Regular Meeting of April 28 2005)

SPEAKER(S): None

MOTION: Adopt with exclusion of pipeline projects from this plan.

AYES: Alexander and Olague

NAYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

RESULT: Motion Failed

APPROVED: Approved with Amendments:

Ordinance Amending the Planning Code (DTR)

Page 62, line 4. Add language to Section 175.7 to read "...to projects only on Block 3747, Lots 001E, 002 and 006 for which an application..."

Page 62, line 5. Add language to Section 175.7 to read "...respectively, provided that such projects shall comply with the progress requirements and approval revocation provisions of Planning Code Section 309.1(e) as set forth in this Ordinance. Provisions of this..."

Page 100, Line 5. Add language to read "...may be granted to a project only on Block 3747 on a lot formed by the merger of part or all of Lots 001E, 002 and 006, pursuant to the procedures..."

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

NAYES: Olague

RESOLUTION: 17011

- 23d. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Zoning Map** (Amending Maps 1,1H, and 1SU). Proposed amendments will establish the Rincon Hill Downtown Residential Mixed-Use ("DTR") District, revise height and bulk districts in the area, and revise the boundaries of the existing "Rincon Hill Residential/Commercial Special Use District" and rename it the "Folsom and Main Residential/Commercial Special Use District" pursuant to the Rincon Hill Plan.
 Preliminary Recommendation: Approve Draft Resolution
 (Continued from Regular Meeting of April 28, 2005)

SPEAKER(S): None

APPROVED: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

RESOLUTION: 17010

- 23e. 2000.1081EMTZ (M. FOSTER (415) 558-6362)
RINCON HILL PLAN - Assessor's Blocks 3744, 3745, 3746, 3747, 3748, 3749 (excluding lots 052, 061, 062, and 064), 3766 (excluding lots 018 and 019), 3767, 3768, and 3769. The Commission will consider a resolution to **Adopt Proposed Amendments to the Planning Code** (Adding Section 318). Proposed amendments will establish "Community Improvements Funds" and "Community Improvement Impact Fees" in Downtown Residential Districts, and a specific Rincon Hill Community Improvements Fund and Community Improvement Impact Fee pursuant to the Rincon Hill Plan.
 Preliminary Recommendation: Approve Draft Resolution
 (Continued from Regular Meeting of April 28, 2005)

SPEAKER(S): None

APPROVED: Approved as amended:

Ordinance Amending the Planning Code (Fee Ordinance)

Page 6. Delete lines 1-4.

Page 6, Lines 5-6, renumber subsection as (i). Delete everything after "...above" so that subsection reads: "(i) \$11.00 in the Rincon Hill downtown residential area, as described in (a)(i) above."

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17012

23f.

(M. FOSTER (415) 558-6362)

RINCON HILL PLAN – The Planning Commission will consider adoption of a **proposed resolution** urging the Board of Supervisors to adopt certain fees and housing affordability measures in conjunction with the Board's adoption of the Rincon Hill Plan. Preliminary Recommendation: Adoption

SPEAKER(S): None

APPROVED: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee

NAYES: Olague

MOTION: 17013

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Adjournment: 10:59 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 2, 2005.

SPEAKERS: None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague

ABSENT: Hughes

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, May 12, 2005

1:30 PM
Regular Meeting

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COMMISSIONERS PRESENT: Michael J. Antonini, Dwight Alexander, Kevin Hughes, Sue Lee, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: Shelley Bradford Bell

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:42 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Judy Boyajian – Deputy City Attorney; Amit Ghosh; Craig Nikitas; Jonathan Purvis; Michael Li; Geoffrey Nelson; Delvin Washington; Mary Woods; Nora Priego – Transcription Secretary; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2005.0219Z (P. LORD: (415) 558-6311)
ZONING MAP AMENDMENTS TO CHANGE THE HEIGHT AND BULK DESIGNATIONS FOR ASSESSOR'S BLOCK 0139, 0140, AND 0141 (BOUNDED BY BATTERY STREET, VALLEJO STREET, EMBARCADERO AND BROADWAY) - Consideration of an Ordinance amending San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0139 from 84-E to 40-X and to change the height and bulk designations of Assessor's Blocks 0140 and 0141 from 84-E to 65-X, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
Preliminary Recommendation: Approval with Modifications
(Proposed for Continuance to May 26, 2005)
SPEAKER(S): None
ACTION: Without hearing, item continued to May 26, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Olague

2. 2004.1067C (M. SNYDER: (415) 575-6891)
33-35 MOSS STREET - east side between Howard Street and Folsom Street, Lot 67 in Assessor's Block 3731 - **Request for Conditional Use** authorization to allow the demolition of two dwelling units within the South of Market Base District under Planning Code Sections 813.13 and 803.5(b). The subject is within an RED (Residential Enclave) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to June 2, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to June 2, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Olague
- 3a. 2005.0105CV (D. DIBARTOLO: (415) 558-6291)
134 GOLDEN GATE AVENUE - north side between Leavenworth and Jones Streets; Lot 003 Assessor's Block 0344 - **Request for Conditional Use** authorization to legalize the conversion of the existing two-story over basement commercial structure to a nonprofit social service facility ("Hyde Street Community Services, Inc.") at all floor levels. Specifically, the project legalizes the premises for use of a nonprofit agency that holds contracts with the San Francisco Department of Public Health to provide daytime mental health services to an adult population, and requires Conditional use authorization for operation of such use at the second floor level per Section 209.3(d) of the Planning Code. No physical expansion of the building is proposed. The subject property is in an RC-4 (Residential-Commercial Combined High-Density) District, the North of Market Residential Special Use District #1 and an 80-120-T Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to June 2, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to June 2, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Olague
- 3b. 2005.0105CV (D. DIBARTOLO: (415) 558-6291)
134 GOLDEN GATE AVENUE - north side between Leavenworth and Jones Streets; Lot 003 Assessor's Block 0344 - **Off-Street Parking Variance** sought in association with the project that legalizes the conversion of the existing two-story over basement commercial structure to a nonprofit social service facility ("Hyde Street Community Services, Inc.") at all floor levels. The uses proposed would require a maximum of 85 off-street parking spaces, with a credited deficiency of thirteen, and a net requirement of 72 off-street spaces, where none are proposed. The application for variance will be considered by the Zoning Administrator. The subject property is in an RC-4 (Residential-Commercial Combined High-Density) District, the North of Market Residential Special Use District #1 and an 80-120-T Height and Bulk District.
(Proposed for Continuance to June 2, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to June 2, 2005
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee
ABSENT: Bradford Bell and Olague
4. 2004.0858C (D. DIBARTOLO: (415) 558-6291)
766 VALLEJO STREET - north side between Powell and Stockton Streets; Lot 043 in Assessor's Block 130 - **Request for Conditional Use** authorization pursuant to Section

722.83 of the Planning Code to install and operate a wireless telecommunication facility for AT&T Wireless Service, roof-mounted on the existing building comprising a parking garage and police station. Under the City and County of San Francisco's Wireless Telecommunication Services (WTS) Facilities Siting Guidelines, the property is a Preferred Location Preference 2, as a co-location site of previously approved antenna installations. The proposal is to install six panel antennas at three different locations on the roof of the approximately 67-foot high building. Related equipment would be placed on the fourth floor level within the parking garage a basement storage area. The property is within the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of April 7, 2005)

(Proposed for Continuance to July 7, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 7, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Olague

5. 2004.0220E (N. TURRELL: (415) 558-5994)
1840 WASHINGTON STREET - Assessor's Block 0599, Lot 008 - **Appeal of Preliminary Mitigated Negative Declaration**. The proposed project involves the construction of an approximately 45,238-gross-square-foot (gsf), eight-story, 80-foot-high residential building, which would include about 31,868 gsf of residential use (29 dwelling units), and 13,370 gsf of parking (35 off-street parking spaces). The proposed project would also include the demolition of an existing 7,500 gsf, one-story-plus-mezzanine building formerly occupied by Teevan Restoration. The approximately 7,021-square-foot (sf) project site is located mid-block on the north side of Washington Street between Van Ness Avenue and Franklin Street. The site is zoned RC-4 (Residential-Commercial Combined District, High Density) and is in the Van Ness Special Use District, and an 80-D height and bulk district. The proposed project would require conditional use authorization for new construction exceeding 40 feet in height in the Van Ness Special Use District, and a variance for one unit, which would not meet the dwelling unit exposure requirement.

Preliminary Recommendation: Uphold Preliminary Mitigated Negative Declaration

(Continued from Regular Meeting of April 7, 2005)

(Proposed for Continuance to July 14, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 14, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Olague

B. COMMISSIONERS' QUESTIONS AND MATTERS

6. Consideration of Adoption -- Draft minutes from March 31, 2005.
(Continued from the Regular Meeting of May 5, 2005)

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Olague

EXCUSED: Alexander

7. Commission Comments/Questions

Commissioner W. Lee:*Re: Rincon Hill Plan*

- He requested that the Commission Secretary write a letter commending the staff who worked on this plan and that a copy of this letter be placed in their personnel files.

Re: Article in Sunday's Chronicle (5/8/05) titled: The Ephemeral City, San Francisco has lost its middle class, become a 'theme park for restaurants,' and is the playground of the nomadic rich and restless leeches living off them by Joel Kotkin

- This article brings up interesting points.
- Most of the City will be developed in the next few years. Is this what the City will look like in the year 2020?
- Is the City going to rely on tourism only? Is the middle class going to be lost? Is the City taking the right approach in doing planning for the next two or three years?
- He requested that the Planning Department provide some guidance. Perhaps the person who wrote this article can come to the Planning Commission and provide a question and answer session.

Interim Director Macris responded:

- He read the article also.
- John King wrote a response to Mr. Kotkin's article.
- When one generalizes as Mr. Kotkin did, there is only a grain of truth.
- Various speakers could be invited. Although some might request a fee but something can be arranged.

Commission Antonini:

- He would like the department to proceed [with setting something up].

Commissioner S. Lee:

- She feels that it is a worthy topic to discuss. Maybe a larger forum should be planned.

Commissioner Hughes:

- Perhaps the author could be contacted and find out about fees and available dates and get this information to the Commission.

Commissioner Olague:

- This is a dialogue she has been hearing for awhile. She agrees that this topic would be of great interest.

Interim Director Macris:

- He will speak with the Commission President and determine what forum would be best.

Commissioner Antonini:*Re: Workforce Housing*

- It is important to look at this. The intent is not to make things harder for another group.
- The middle-income housing group is the one that has received the least amount of housing in the last few years.

Commissioner Hughes:*Re: 1420 Haight Street (heard under Public Comment on April 28, 2005)*

- This project was denied by the Commission on April 21, 2005. It was denied because an elevator was non compliant with the permit.
- The Commission requested additional information from the counsel for the project sponsor.

- Since that time, they did put in a submittal and in review of that submittal, there is one item of particular merit to warrant the rehearing.
- What was in noncompliance was the elevator and the location of the elevator. Now there is a jurisdictional issue as it relates to compliance with state regulations.
- So he believes that this may impact what options the project sponsor had at that time.

Zoning Administrator responded:

- The permit is still at the department and he has not made a determination on the Variance so it could be brought back before the Commission.

Commissioner Antonini:

- He agrees with bringing this back before them.

Commissioner W. Lee:

- He would be supportive of a rehearing.

Zoning Administrator responded:

- The case will be re-noticed and rescheduled. All the affected parties will be notified.

Commissioner Olague:

Re: Enforcement

- Certain commitments are made that become part of the findings with certain projects.
- How are projects enforced once they leave the Commission?

Zoning Administrator responded:

- When a project is approved, how is it assured that the conditions of approval are applied as it is going into implementation?
- When conditions are placed on the operation of a project and a few years later it is not complying with the conditions of approval, how is this enforced?
- An informational hearing before the Commission can be scheduled to answer questions the Commission might have on this issue.
- He feels that the end of June or early July would be the aim.

C. DIRECTOR'S REPORT

8. Director's Announcements

Interim Director Macris reported:

Re: Hiring Program

- This is well underway.
- To date there have been six offers to fill the 21 vacancies that need to be completed. Five of these six have accepted the offers. Environmental Review will receive two, Citywide will receive 1 and Neighborhood Planning will receive three.
- The hiring program will continue until the 21 vacancies have been filled.

Re: Fee Analysis

- This is also well underway.
- There have been about 100 or so activities that the Department carries out that can be chargeable.
- This list could be made available to the Commission.
- July or early August will be when the analysis will be completed.
- The target is to have a new fee schedule by early next year.

Re: How business is conducted

- There is another analysis going on regarding how the department can do business more efficiently.

Re: Department of Building Inspection

- They need more space and he and others in the department are working on a plan to move the department into a single place instead of two (1660 Mission Street and 30 Van Ness).
- They are exploring the building immediately next door (1650 Mission Street). This way, DBI can use the entire building at 1660 Mission Street.

Commissioner W. Lee:

- AIA and SPUR has a report that has very reasonable--easy steps to make the department more efficient.

Re: In home access

- He would like to see a study done on how people from home can access the DBI/Planning system to view permit information.

Interim Director Macris:

- Staff is working on a contract to get someone to work with DBI and Planning on standardizing the computer programs so that someone can go on the internet and access a database on the history and status of permits.

Commissioner W. Lee:

- He would like the Department of Street Use and Mapping to be included.

Zoning Administrator responded:

DPW, Fire, Building and Planning will be involved in this. A unified system will be implemented.

- This information will be available in July 2005.

9. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –

Zoning Administrator reported:

Re: Audit Committee – Chinatown Economic Development Group

- He along with Alicia Jean-Baptiste and representatives from Park and Rec, Controllers and City Attorney's Office attended this meeting regarding the open space fund that was generated by 447 Battery Street.
- The Commission directed him to grant a Variance in affect that would allow payment to a non-profit group. The money was not spent as it should have been.
- Of the \$275,000, the City has received \$162,000. Park and Rec has received this money. Staff is asking to account for \$35,000 in administrative funds and about \$40,000 that is short.
- Director Macris wrote a few letters asking for more information on the status of this \$40,000.
- The CEDG responded that they did not have the money and were seeking it from the former Board.
- Staff will be meeting with the City Attorney and the Controller to determine what the next steps will be.

Re: Medical Cannabis Dispensary Moratorium

- The Mayor signed this into law in April--a 45 day moratorium which will expire next week.

- Supervisor Mirkarimi is asking for an extension.
- This legislation will come to the Planning Commission in the near future.
- Planning staff recommended a 6-month moratorium.
- Permits will not be processed right now, if there was one that had to be processed, the case would go into Discretionary Review.

BOA –

Re: 141-143 Parnassus Avenue

- This was a dwelling unit merger and was denied by the Commission.
- The Board overturned the Commission +5-0 with the explanation that family housing is important and that the tenant had moved out voluntarily.

Re: 2169 Folsom Street

- The Commission did not hear this case but he thought it important to mention.
- There was one live work unit that wanted to expand. He determined that live work cannot be expanded because they are non-conforming uses. The Board overturned the denial of the building permit based upon his interpretation of the law because the space that was being used could be used as an artist studio or a gallery and not an expansion of the live work.
- He will take a closer look at the ordinance.

Re: 1921 Palou Avenue

- This project was before the Commission. It was determined to expand a lightwell and the project was approved.
- The Board upheld the Commission +5-0.

Re: Public Comment from April 28, 2005

- Ms. Sue Hestor spoke about case reports not being submitted to the Board of Appeals.
- He spoke to members of the Board and it is true that the information was not being submitted to the Board of Appeals.
- He has submitted a draft proposal to make sure that the procedure is working and that case material is being submitted to the Board of Appeals.
- It was suggested that when a motion is made, there should also be a summary of why the Commission took this action. In other words, the Commission should state the reason why they are taking their action. This would assist the case planner in defending the Commission's decision.

Commissioner W. Lee:

RE: Chinatown Economic Development Group

- He made a disclosure that he was Chair of the Chinatown Economic Development Group appointed by Mayor Newsome. After the first meeting he relinquished his seat but he is still a member. So if there is any conflict with what the Planning Commission needs to do, he requested that staff seek advice from the City Attorney so they can guide him.

Commissioner Hughes:

Re: Board of Appeals

- When the Commission receives information from staff and from the public and they develop policy, is the basis of an appeal to the Board of Appeals limited to an appeal based on procedure, based on misapplication of the policy or does the Board have broad discretion in that they simply in their opinion don't believe that the policy has merit and consequently can uphold an appeal and eliminate the existence of a policy?

Zoning Administrator responded:

- The Board of Appeals is not governed by the Commission's decision and can take into account the policy of the Commission but it is not their policy.

- The Board of Appeals can follow the laws but they can make their own decisions. The Board can basically not follow the Commission's decision.

Commissioner Hughes:

- Even after all the work, the public comment, etc, the Board can still decide to act in conflict with the intent of the policy if in their view they believe this to be appropriate?

Zoning Administrator responded:

- Even if the Board had the same amount of input, they can come to a different conclusion.

City Attorney Boyajian responded:

- If the Commission feels strongly about this then it should be codified so that it binds the Board of Appeals.
- If the law is in the Planning Code, then the Planning Code binds them.

Commissioner Olague:

Re: Board of Appeals

- This is a poor characterization of the powers of the Planning Commission.

Zoning Administrator responded:

- He will be looking at this more closely.

Commissioner S. Lee:

- A hearing on this needs to be scheduled because there are many questions and concerns from the Planning Commission.

Commissioner Alexander:

- It is important to have a hearing with the Board of Appeals.

Commissioner Antonini:

- A session is already scheduled with the Board of Appeals.
- He also knows that there is a hearing on unit mergers as well.

Zoning Administrator responded:

- June 15 is the hearing date with the Board of Appeals at 5:30 p.m.
- Your policies on dwelling unit mergers and demolitions will be discussed.

10. 2004.0774X (L. BADINER: 415/558-6350 & D. DiBARTOLO 415/558-6291)
652-654 MISSION STREET - north side between New Montgomery and Third Streets -
Informational Presentation on the construction of a new building for The San Francisco
Planning and Urban Research Institute (SPUR) which would include exhibit, public
assembly, library, meeting rooms, and office space. The project is subject, under Section
309, to an administrative review only.
Preliminary Recommendation: No action to be taken by the Planning Commission

Jim Chappell – SPUR

- They were founded in 1959 to try to keep the City as a good economical and environmentally great place to live.
- They have various presentations and seminars throughout the day.
- They work on long-term citywide implications.
- They are growing rapidly and have about 3,000 members.
- They have purchased this site on Mission Street.

- The purpose of this project is to expand their space for urban affairs in the day and evening.
- They look forward to continually working with the Planning Department and Planning Commission.

Peter Faul – Project Architect

- He displayed various renderings related to the project including the façade, interior and library.

Steven Gray

- He has a Masters in preservation.
- A four-story building involving a demolition takes more than a year.
- He has had conversations with staff and was not given much information.
- There does not seem to be a way to get information on the permit.

Kepa Askenasy – Potrero Hill

- She has received calls on questions related to process.
- She called the Department but did not get information related to the project.
- She was finally told that the permits were done administratively in-house.
- She suggested that the SPUR project be stopped and that a proper process begin since there is no permit on file.

ACTION: Hearing Held. No Action Required.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Jerry Crowley

Re: Search for a Planning Director

- There is a need for permanent leadership in the Planning Department.

Jose Morales – SF Tenant's Union/MAC

Re: Projects in the Mission/Bernal Height Area

- He is opposed to projects that destroy neighborhoods and homes.
- DBI should get more involved with special inspections and written reports before permits are accepted.
- Many landlords are keeping secrets.
- All projects should preserve affordable housing and not loose it.

Veva Edelson

Re: a project in her neighborhood

- She came a few weeks ago to discuss a project in her neighborhood.
- Since then there has been an application filed but there is still misinformation.
- Many of her neighbors have concerns with this plan.
- She feels that they are not being heard.

Steve Currier – Outer Mission Residents Association

Re: Home Depot Project

- He would like to know what is going on with this project.
- There are various projects in his neighborhood that have been approved and they have improved the neighborhood greatly.
- If he can be of any help to get this moving along he would welcome the opportunity.

Kepa Askenasy

Re: Ethics Complaint

- She came across some documents related to an Ethics complaint regarding Mr. Jean Paul Samaha.

- During his employment at the Planning Department, Mr. Samaha, received both a personal unsecured loan which totaled \$106,200 as well a property at no cost on Webster Street from Mr. James Nunemacker. Neither a waiver of payment nor proof of payment has been filed with the Recorder's Office for the loan (She displayed documents related to these statements):

- His Statement of Economic Interest does not show this information either.
- Mr. Samaha and Mr. Nunemacker have not registered as domestic partners.

Steve St. Deny – Carpet Connection – Bayshore Merchant's Association

Re: Home Depot

- He has a business on Bayshore Boulevard.
- The new structures on that street are large businesses.
- There are businesses that have left the area as well.
- He has had to move from the area because the customers that used to come to the area are missing.
- There doesn't seem to be any move to bring Home Depot to the area.
- Maybe an entire new school could have been built already with the revenue from the businesses in the area.

Courtney Clarkson

Re: Planning Department Issues

- She has received a number of notices on preservation from the Planning Department.
- Usually Planning submits photographs on projects.
- Recently there has been talk about affordable housing.
- Smaller houses that are older are being replaced with large mansions.
- Planning needs to start taking a look at what constitutes affordable housing.

Tracy Hughes

Re: 1070 Sanchez

- She is concerned about a historically significant tree in the back of this house.
- She is also concerned about the preservation of smaller houses. They are being replaced by larger homes.
- There are more and more developments in various areas in the City.
- She is going to try to save the tree.

E. REGULAR CALENDAR

11. 2005.0056C (S. VELLVE: (415) 558-6263)
1640 HAYES STREET - north side between Central Avenue and Lyon Street; Lot 014 in Assessor's Block 1198 - **Request for Conditional Use** authorization pursuant to Sections 303 and 209.1(h) of the Planning Code to allow more than three dwelling units on a lot within an RH-3 (Residential House, Three Family) and a 40-X Height and Bulk District. The proposal is to convert the existing single-family dwelling to a four-unit building with no physical expansion of the building. Four parking spaces will be provided. Preliminary Recommendation: Approval with Conditions

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 17014

12. 2004.1293C (J. PURVIS: (415) 558-6354)
20 PETERS AVENUE - west side south of Fair Avenue; Lot 045 in Assessor's Block 5615 - **Request for Conditional Use** authorization under Planning Code Section 161(j) to add a second dwelling unit to a single-family dwelling without providing an additional off-street parking space. The site is within the NC-3 (Neighborhood Commercial, Moderate-Scale) Use District, and a 40-X Height and Bulk District. The proposal is to add a rear horizontal addition and a second dwelling unit at the rear of the ground floor of this single-family dwelling. The existing garage accommodates one vehicle.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Henry Shapiro – Representing Project Sponsor

- The project sponsor has been the owner for many years.
- The property recently had been a rental property.
- There have been very large projects already approved in the area without off-street parking.
- There is very good public transportation in the area.

(+) Lewis Epstein

- He grew up in this house.
- Almost every house on the block has a "make believe" unit.
- The only difference here is that he wants to make the unit legal.

(-) Martin Sharpe

- He lives across the street.
- There are many neighbors who are opposed to this project.
- This is not a single car garage because he has seen more than one car and a few motorcycles.
- Parking is a serious problem on that street. He has seen a neighbor that had to be taken down the street to an ambulance because the ambulance could not get through.

MOTION: Approve

AYES: Antonini, W. Lee, Olague

NAYES: Alexander, Hughes, S. Lee

ABSENT: Bradford Bell

RESULT: Motion Failed

ACTION: In the absence of a substitute motion, the project is disapproved

13a. 2004.1212C

(M. SNYDER: (415) 575-6891)

2839-41 MISSION STREET - a through lot between Mission Street and Lilac Alley between 24th Street and 25th Street, Lot 029 in Assessor's Block 6517 - **Request for Conditional Use** authorization under Planning Code Sections 303 and 161j to convert second story office space into six dwelling units without providing parking. The subject property is within an NC-3 (Neighborhood Commercial, Moderate-Density) District, and a 105-E Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of May 5, 2005)

SPEAKER(S):

(+) Hector Gallon – Project Designer

- The building has been vacant two or three years.
- The location is very close to the BART station.
- They want to have more dwelling units in the area because there is a great need for housing.

(+) Phillip Lesser – Mission Merchant's Association

- This project is very close to the BART station.
- This would be a great transit first project.
- The project sponsor has worked with his family. He knows that it will be a tasteful project.

ACTION: Approved with the condition that the skylight issue will be addressed in the exposure Variance.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

MOTION: 17015

- 13b. 2004.1212V (M. SNYDER: (415) 575-6891)
2839-41 MISSION STREET - a through lot between Mission Street and Lilac Alley between 24th Street and 25th Street, Lot 029 in Assessor's Block 6517 - **Request rear yard, open space, and exposure variance** (Planning Code Sections 134, 135, and 140) in association with a proposal to convert second story office space into six dwelling units. The subject property is within an NC-3 (Neighborhood Commercial, Moderate-Density) District, and a 105-E Height and Bulk District.
(Continued from Regular Meeting of May 5, 2005)

SPEAKER(S): See Speakers for 13a.

ACTION: Zoning Administrator closed the public hearing and granted the Variance with the condition that plans show skylight on light court.

14. 2005.0087C (M. LI: (415) 558-6396)
1402 GRANT AVENUE - northeast corner at Green Street, Lot 019 in Assessor's Block 0115 - **Request for Conditional Use** authorization to modify the conditions of approval from a previous conditional use for an existing small self-service restaurant (dba "Magnet"). The proposal is to change a Type 41 ABC license (beer and wine; food service required) to a Type 42 ABC license (beer and wine; food service not required). Under Article 7 of the Planning Code, this proposal constitutes a change of use from a restaurant to a bar. There will be no physical expansion of the existing building or commercial space. The site is within the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.
Preliminary Recommendation: Disapproval

SPEAKER(S):

(+) Mike Giggles – Project Sponsor

- He previously applied for an entertainment license.
- He has a small café legally classified as a small service restaurant.
- The café does not have a license for spirits.
- ABC has received a number of complaints.
- His business is small so even a small fine hurts.

(-) Courtney Clarkson

- She owns a small business near this project.
- She has spent a few years renovating the building.
- Almost every time she goes to the building she notices that there is a large amount of liquor containers near the building.
- Many times she has had to close the gate of her building because when people are intoxicated, they urinate in the area.
- The neighborhood is full of bars and there is no need for another one.

(-) Brad Wilmore – Telegraph Hill Dwellers Association

- It is very difficult when there is a retail operation near a bar. During the day everything is quiet and clean, but in the evenings, there is much trash and disturbance.
- THD is in favor of small businesses but the heavy bar traffic is a detriment to the neighborhood.

- They are in support of neighborhood servicing businesses.

(-) Gerry Crowley – Telegraph Hill Dwellers

- The owner originally wanted a full liquor license.
- This project is destined to be a night bar.
- She hopes that the project sponsor will [does not] return to his original plan.

(+) Michael Goebel

- He currently works at the restaurant.
- There is a misconception that they are not going to act as a restaurant.
- Their intention to switch to a liquor license, is because they still want to serve food but also liquor.

ACTION: Disapproved
 AYES: Alexander, Hughes, S. Lee, W. Lee, Olague
 NAYES: Antonini
 ABSENT: Bradford Bell
 MOTION: 17016

- 15a. 2004.1342EXV (M. LI: (415) 558-6396)
693 SUTTER STREET - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - **Request for a Determination of Compliance under Planning Code Section 309 and Request for Exceptions including an exception to the rear yard requirements as permitted in Section 134(d).** The proposal is to convert approximately 7,000 square feet of office space on the fifth and sixth floors of the existing building to six dwelling units. Previously, Section 309 approval was granted for the conversion of the mezzanine and the second through fourth floors from office space to 10 dwelling units. Approval of the current proposal would result in a total of 16 dwelling units, including two BMR units. There will be no physical expansion of the existing building. The project site lies within a C-3-G (Downtown General Commercial) District and an 80-130-F Height and Bulk District. The Zoning Administrator will hold a simultaneous hearing to consider a request for an off-street parking variance.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of April 28, 2005)

SPEAKER(S):
 (+) **Simon Kwan – Representing the Project Sponsor**
 - The BMR unit will be on the fifth floor.

ACTION: Approved with the BMR unit on the fifth floor.
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell
 MOTION: 17017

- 15b. 2004.1342EXV (M. LI: (415) 558-6396)
693 SUTTER STREET - southeast corner at Taylor Street; Lot 009 in Assessor's Block 0297 - **Off-street parking variance sought.** The proposal is to convert approximately 7,000 square feet of office space on the fifth and sixth floors of the existing building to six dwelling units. There will be no physical expansion of the existing building. The project site lies within a C-3-G (Downtown General Commercial) District and an 80-130-F Height and Bulk District. The parking requirement for the proposed project is two spaces, and the project is proposing zero spaces. The application for variance will be considered by the Zoning Administrator.
 (Continued from Regular Meeting of April 28, 2005)

SPEAKER(S): Same as those listed in item 15a
 ACTION: The Zoning Administrator closed the public hearing and granted the Variance subject to standard conditions of approval.

16. 2005.0218Z (P. LORD: (415) 558-6311)
ZONING MAP AMENDMENTS TO CHANGE THE HEIGHT AND BULK DESIGNATIONS FOR ASSESSOR'S BLOCK 0195 (BOUNDED BY JACKSON STREET, WASHINGTON STREET, MONTGOMERY STREET AND KEARNY STREET) - Consideration of an Ordinance amending San Francisco Planning Code by repealing Section 263.1, which allows the Planning Commission to approve height up to 200 feet in the 65D-2 Height and Bulk District, and by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0195, Lots 4, 5, 11, 12, 14, 15, and 16 from 65D-2 to 40-X and to change the height and bulk designations

of the remaining assessor's blocks and lots within the 65D-2 Height and Bulk District from 65D-2 to 65-A, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approval

SPEAKER(S):

(+) Supervisor Aaron Peskin – Sponsor of Legislation

- Washington Street has historically been the dividing line between the bulk and mass of downtown and the human scale of neighborhood environment of Jackson Square and Telegraph Hill.

- These are zoning battles that took place in the late 1960's.

- In the late 1980's there was an up zoning that happened and nobody, not even people with the wisdom of Mr. Badiner, quite remember what happened, but that created the 65 D-200 which allows buildings up to 200 feet on the north side of Washington Street.

- The legislation here before the Commission is designed simply to maintain the human scale environment north of Washington Street in accordance with the built environment that exists there.

- Mr. Lord indicated that City College has indeed submitted a letter that indicates that they support the legislation and further warns that as a state institution, it is not binding upon them and any properties that they own.

- He is available for questions and hopes that the Commission will recommend it to the Board of Supervisors.

(-) Ron Lee – Chinatown Neighbors Association

- The height modification is not good for the neighborhood because it would discourage development.

- Development to improve old buildings and empty lots would increase revenue.

- This height limit would decrease property values.

(-) June Lee – Nob Hill Realty

- She read a letter from her client who is opposed to this height modification.

(-) Sun Tai Lum

- She spoke through an interpreter.

- She is opposed to the height modification. It is not fair to the residents of the area.

(-) Dorothy Zhu

- She is opposed to the height modifications. It is not fair and it is no good.

(-) Lawrence Lee

- He and his family own property in the area.

- The existing height laws are already in place and are fair.

- He is opposed to the height modifications.

- It is not fair to take away their development rights.

- It will also devalue the properties in the area.

(-) Mary Tam

- She owns property on Washington Street.

- This height modification is not fair.

MOTION: approve with amendments

AYES: Antonini, Hughes

NAYES: Alexander, S. Lee, W. Lee

ABSENT: Bradford Bell and Olague

RESULT: Motion failed

MOTION: Continue to May 26, 2005

RESULT: The motion did not receive a second. The motion died.

ACTION: Approved as amended: Bring the 40-X height limit up to 65 feet.

AYES: Antonini, Hughes, S. Lee, W. Lee, and Olague

ABSENT: Alexander and Bradford Bell

RESOLUTION: 17018

17. 2004.0055R (J. SWITZKY: (415) 575-6815)
AMENDMENTS TO THE TRANSBAY REDEVELOPMENT PLAN (GENERAL PLAN REFERRAL) - The Planning Commission adopted General Plan conformity findings for the Transbay Redevelopment Plan on December 9, 2004. However the Redevelopment Agency has proposed amendments to the Transbay Redevelopment Plan resulting from Board of Supervisors input on the Plan, **requiring new General Plan conformity findings, pursuant to Section 4.105 of the City Charter and Section 2A.53 of the San Francisco Administrative Code.**

Preliminary Recommendation: Approve the Draft Motion finding the proposed amendments to the Transbay Redevelopment Plan in conformity with the General Plan.

SPEAKER(S): None

ACTION: Without hearing, item continued to May 19, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Olague

18. (L. AVERY: (415) 558-6407)
PLANNING COMMISSION RULES AND REGULATIONS - CONSIDERATION OF AMENDMENT: Article IV, Sections 3 & 6 to address notice and voting; add a new Section 7 to address jurisdiction; renumber remaining sections of Article IV.
(Continued from Regular Meeting of April 21, 2005)

SPEAKER(S): None

ACTION: Hearing Held. Item Continued to June 16, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

- 19a. 2003.0253D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2001.03.07.3680 to demolish an existing two-story two-family dwelling (the project also proposes the construction of a new two-family dwelling) in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and Disapprove Demolition Permit
(Continued from Regular Meeting of April 21, 2005)

SPEAKER(S): None

ACTION: Took Discretionary Review and disapproved the demolition

AYES: Alexander, Hughes, S. Lee, W. Lee, Olague

ABSENT: Antonini and Bradford Bell

- 19b. 2004.0682D (G. NELSON: (415) 558-6257)
5126-5130 ANZA STREET - north side between 42nd and 43rd Avenues; Lot 016 in Assessor's Block 1502 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new construction to replace demolished housing, of Building Permit Application No. 2001.03.07.3684 for the new construction of a three-story, two-family dwelling in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. The proposed new building will contain two off-street parking spaces.
Preliminary Recommendation: Take Discretionary Review and Disapprove Building Permit
(Continued from Regular Meeting of April 21, 2005)

SPEAKER(S): None
 ACTION: Take Discretionary Review and disapproved the project.
 AYES: Alexander, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Antonini and Bradford Bell

20. 2004.1310DD (G. NELSON: (415) 558-6257)
1260 FUNSTON AVENUE (AKA 13TH AVENUE) - east side between Lincoln Way and Irving Street; Lot 031 in Assessor's Block 1738 - **Requests for Discretionary Review** of Building Permit Application No. 2004.09.27.5238 proposing to construct a three-story addition at the rear of a two-story single-family dwelling in an RH-2 (Residential, House, Two-Family) District, and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications
 (Continued From Regular Meeting Of April 28, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued to May 26, 2005
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Antonini and Bradford Bell

21. 2004.1161D (K. MCGEE: (415) 558-6367)
1060 GILMAN AVENUE - north side between Hawes and Griffith Streets; Lot 014 in Assessor's Block 4937 - **Request for Discretionary Review** of Permit Application No. 2004.03.03.7628, proposing to construct a three-story single-family dwelling on the existing vacant lot. The subject property is located in a RH-1 (Residential, House, Single-Family) and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): None
 ACTION: Without hearing, item continued to May 26, 2005.
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee
 ABSENT: Bradford Bell and Olague

22. 2004.0901D (M. WOODS: (415) 558-6315)
2745 WEBSTER STREET - west side between Green and Vallejo Streets; Lot 001A in Assessor's Block 0557 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2004.08.12.1399, proposing to convert the building's authorized use from 12 units to 11 units, in an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the building permit application as proposed.

SPEAKER(S):
 (+) Janier Tessie
 - He lives on Webster Street.
 - The building has been in his family for 50 years.
 - The unit that is vacant has been vacant for three years.
 - His family is growing and they need to have more space.

ACTION: Did not take Discretionary Review and approved the merger
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell

- 23a. 2003.0909D (M. SMITH: (415) 558-6322)
39 DIAMOND STREET, east side between Market and 18th Streets, Lot 032 in Assessor's Block 2648 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of residential demolition, of Demolition Permit Application No. 2003.05.09.4176, proposing to demolish a one-story single-family dwelling, located in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

SPEAKER(S):

(+) John Lau – Representing Project Sponsor

- They have been working on this project for two years.
- They have gone through the demolition procedures as well as environmental procedures.

ACTION: Did not take Discretionary Review and approved the demolition

AYES: Alexander, Antonini, Hughes, S. Lee, Olague

ABSENT: Bradford Bell and W. Lee

- 23b. 2005.0421D (M. SMITH: (415) 558-6322)
39 DIAMOND STREET - east side between Market and 18th Streets, Lot 032 in Assessor's Block 2648 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2003.05.09.4178, proposing to construct a three-story over garage three-family dwelling, located in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S): See Speakers for Item 23a.

ACTION: Did not take Discretionary Review and approved the project with instructions to continue working with staff on design.

AYES: Alexander, Antonini, Hughes, S. Lee, Olague

ABSENT: Bradford Bell and W. Lee

24. 2004.0398D (R. CRAWFORD: (415) 558-6358)
49 ELK STREET - east side between Sussex and Chenery Streets. Assessor's Block 6709 Lot 028 - **Request for Discretionary Review** of Building Permit Application No. 2003.1205.1666 to construct two story rear additions to the existing dwelling, in an RH-1 (Residential House, One Family) District, and a 40-X Height and Bulk district.
Preliminary Recommendation: Take Discretionary Review and approve the Project with modifications.

SPEAKER(S): None

ACTION: Without hearing, item continued to July 7, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee

ABSENT: Bradford Bell and Olague

25. 2005.0021D (R. CRAWFORD: (415) 558-6358)
1 PALO ALTO DRIVE (AKA 1 AVANZADA AKA 250 PALO ALTO) - Assessor's Block 2724 Lot 003 - **Mandatory Discretionary Review** of Building Permit Application Nos. 2004.1105.8607 for installation of an emergency generator and pad with diesel fuel tank for KBHK television, 2004.1220.1816 for installation of an FM antenna for KNGY radio,

on the north leg at the third level of Sutro Tower and, 2005.0125.3910 for installation of four receive only satellite dishes for KPIX TV-5. This project lies within the RH-1, Residential House, One Family District and within a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and Approve with Conditions.

SPEAKER(S):

(+) Debra Stein

- There are a lot of issues that have been resolved in the last four years.
- Sutro Tower is a shared facility.
- The existing operations are not before the Commission today.
- This project complies with all standards.
- The alterations before the Commission today are minor.
- The antenna will not transmit harmful radiation.

(-) Eileen Bocken

- There are a number of diesel storage facilities at Sutro Tower already.
- There are about 200 antennae already at this location.
- It is not sound policy to have such a high concentration of the City's Telecommunications structures in one location.
- She recommends that this proposal be turned down.

(-) Christine Linenbach – Twin Peaks Improvement Association

- She requested that the City Attorney explain the scope of the appeal that was taken to the California State Court of Appeals.
- The use permit clearly states that Sutro Tower is limited to one tower and one building. Currently the proposal is for two 15-foot diameter satellite dishes on top of a garage that was never part of the Conditional Use permit. And this garage has never received authorization from the Zoning Administrator as being part of the Conditional Use.
- There are several questions of safety. For example, why does the fuel tank have to be installed closest to residential homes and water supplies? Why do the satellite dishes have to be *on top* of the garage?
- She requested that this hearing be continued so that this case can be heard before the Board of Appeals first and then before the Planning Commission.

(-) Everett Homebolt

- He is opposed to this proposal because he is concerned about the diesel facility.
- He believes that this will be a fire hazard.
- He is concerned about the flammable liquids.
- The affects of long-term exposure have not been fully explored.
- The seismic danger has not been completely discussed either.

(-) Walter Kaplan – Forest Knowles Association

- There was improper notice of this hearing.
- The project description is inaccurate and incomplete, thereby depriving interested parties of proper and adequate notice of the proposed project.
- A CU authorization is required by this project.
- Staff states that this project is exempted from environmental review.
- He has provided the Commission a very important court case which deals with Planning priorities.
- The surrounding areas have hundreds of homes.
- Every addition to this project demands a separate finding.

(+) Jean Sasro – General Manager of Sutro Tower

- There are three phases to this project.
- There are representatives from all three stations here to speak.
- There was a very thorough investigation for the location of the generator and the fuel tank.
- The location is the closes to KBHK so that the lines are as close as possible.
- The satellite antennas are being located on top of the garage so that they will receive signals properly.

(+) Steve Boycons – Station Manager for KBHK-TV

- He has been in television for many years.
- They are part of the CBS team.
- They are planning to expand their coverage.

(+) Joe Balus – KNGY Owner

- He is an independent broadcaster and owner.
- His company has gone through great length to do market research and find out what is underserved.
- The two communities that are underserved are the Chinese and Gay communities.
- The proposal will allow for a better platform and provide better access to the communities.
- He is available for further questions.

(+) Chris Boyle – Chief Marketing Officer of The United Way

- Their partnership with CBS-5 is very important.
- They have a holiday food program, which provides much needed toys and food during the holiday season.

(+) Booker Raid

- Their mission is multiculturalism.
- They have various programs in various locations.
- This has been a tremendously burdensome process.

(+) Bob McCarthy

- The history of the tower is not before the Commission.
- What is before the Commission is just a minor antenna.
- Television plays a major role in communication and not just entertainment.
- It is important to preserve free television in the United States.

ACTION: Took Discretionary Review and Approve with Staff's and Supervisor Elsbernd Conditions:

- **Tank Design:** The above-ground fuel tank shall be double-walled, have double-walled piping, and have an automatic 24 hour sensor that will sound an alarm in the event of any leak.
- **Certified Operator:** Sutro Tower, Inc. shall designate an operator who possesses a current certificate issued by the International Code Council indicating that the UST operator passed the California UST System Operator Exam, and shall provide a copy of said certificate to the San Francisco Department of Public Health on a quarterly basis. This Certified Operator shall not be an employee of Sutro Tower, Inc.
- **Monthly Inspections:** The Certified Operator shall conduct inspections of all fuel storage tanks at Sutro Tower on a monthly basis pursuant to Cal. Code, Reg. Sec. 2715.
- **Quarterly Reports:** Sutro Tower, Inc. shall provide the San Francisco Department of Public Health with copies of the monthly inspection reports on a quarterly basis.
- **Annual Testing and Inspection:** Sutro Tower shall engage an independent, certified testing agency to perform annual leak sensor tests, test and calibrate the automatic leak detection system, test leak and overfill alarms, and inspect the entire fuel system. The San Francisco Department of Public Health shall be notified of the date and time of the annual inspection no less than 48 hours in advance and may observe the procedure, if it deems necessary. A copy of the annual testing and inspection report shall be provided to the San Francisco Department of Public Health.
- **DPH Inspections:** Sutro Tower, Inc. shall provide the San Francisco Department of Public Health full access to its facilities to inspect the fuel tanks at any time, upon 48 notice to the general manager of Sutro

Tower, except in the case of an emergency, in which case no advance notice is required.

AYES: Antonini, Hughes, S. Lee, W. Lee, Olague
ABSENT: Alexander and Bradford Bell

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

SPEAKE(S):

Eileen Boken – SPEAK

Re: 1234 19th Avenue

- This proposed demolition of a pre-1906 Victorian came before the Commission previously.
- The Commission rejected the proposed demolition and SPEAK was the main opponent to this demolition.
- Just last week this appeal came before the Board of Appeals and the Commission's determination was overturned.
- SPEAK was not at this hearing to state the case against demolition.
- When trying to figure out what went so terribly wrong, she spoke with the legal assistant of the Board of Appeals.
- The first thing mentioned to her was that the Board of Appeals did not receive a copy of the project file from the Planning Department.
- The Board of Appeals did not see the same information that the Commission did when the Commission made its determination.
- The board based its decision primarily on information provided by the project sponsor.
- Also, because the Board of Appeals did not receive the project file, they also did not receive a list of interested parties so notification was only sent to immediate neighbors.
- SPEAK did not receive notification even though it was the primary opponent to the proposed demolition.
- The findings of the appeal will be heard on May 18, 2005.
- she requested that the Commission instruct the Zoning Administrator to issue a formal request for a rehearing before May 18.
- Also, she requested that the Commission instruct the Planning Department to forward a copy of the project file to the Board of Appeals.

Adjournment: 8:15 p.m.

**THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE
PLANNING COMMISSION ON THURSDAY, JUNE 16, 2005.**

SPEAKERS: None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
EXCUSED: Bradford Bell

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, May 19, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

JUN 22 2005

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS PRESENT: Dwight Alexander, Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, Sue Lee, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:40 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Sue Exline; Sara Vellve; Dan Sirois; Glen Cabrerros; Dan Dibartolo; Matt Snyder; Marshall Foster; Paul Lord; Bill Wycko; Rick Crawford; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2005.0256T (P. LORD: (415) 558-6311)
SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT RESIDENTIAL CONVERSION TO OTHER INSTITUTION - Consideration of an Ordinance amending San Francisco Planning Code by amending Section 724.1 to allow for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial District as a Conditional Use, where: the new use will be an Other Institution, Educational Service use, only one dwelling unit in building will be converted, and that unit is the only non-residential use in the building, and no legally residing tenant with be displaced: and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
Preliminary Recommendation: Approval
(Continued to Regular Hearing May 26, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to May 26, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

2. 2003.0869E (J. NAVARRETE: (415) 558-5975)
88 FIFTH STREET - THE OLD U.S. MINT - Appeal of Preliminary Mitigated Negative Declaration - The proposed project is the rehabilitation plus seismic upgrade and addition to the United States Old Mint located at 88 Fifth Street in downtown San Francisco (Assessor's Block 3704, Lot 11). The existing three-story plus an occupied attic 99,921-gross-square-foot (gsf) building would be retained, and the first floor courtyard enclosed in 1973 for offices would be removed, (a deduction of 4,336 gsf), and additional circulation bridges, stairs and an elevator (addition of 2,642 gsf) would be added within the existing 4-story courtyard. The existing attic would be expanded on the roof along the south side of the courtyard to create a museum gallery (an addition of 1,554 gsf) with a view of the city skyline to the south. The courtyard removal and additions of bridges and roof gallery would result in an overall reduction of gsf, for a total floor area of 99,788 gsf. The building would include 79,957 square feet of usable space total including: 36,326 sf of City History Museum space, 2,082 sf of Museum office space, 2,045 sf of museum back of house space, 2,044 sf of museum retail, and 3,336 sf of museum theater space. Tenants in the building would be the 8,153 sf Gold Rush and Money Museum, 2,492 sf of small retail lease spaces, and 6,360 gsf of restaurant space and cafe. 3,987 sf would be used for the San Francisco Visitor Center, and the remaining 11,108 sf would be circulation, toilets and support spaces ancillary to the museum use. The project would include closure of Jessie Street to vehicles, between Mint and Fifth Streets, to be used for outdoor restaurant seating. The project site is approximately 47,515 sq. ft., is zoned P (Public) within a 90-X height and bulk district, and within the Mid-Market St. Revitalization and Conservation District. Transaction document approvals would be required from the Board of Supervisors, and a Certificate of Appropriateness would be required by the Landmarks Preservation Advisory Board.
Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of April 28, 2005)
(Continued to Regular Hearing May 26, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to May 26, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption - Draft Minutes of April 14 and 21, 2005.

Minutes of April 14, 2005:

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

EXCUSED: Alexander

Minutes of April 21, 2005

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

EXCUSED: Bradford Bell

4. Commission Comments/Questions

Commissioner Bradford Bell:

Re: Bicycle Coalition

- She thanked the Bicycle Coalition for the "Bike to Work Day" and providing her with a bike for the day.

Re: Home Depot

- She is concerned when staff is accused of not doing things diligently.
- She checked on the status of this and found out that Home Depot was delayed in providing information to staff.
- Planning staff is on the case. She realizes that it has been about two years

Re: Deliberation Between Commissioners

- She received some phone calls about the Commissioners passing notes to each other so she asked the Commission Secretary what the procedure would be if they needed to take a break.

Commission Secretary responded:

- It is accepted that commissioners let the President know if they need to take a break, but she cautioned Commissioners to be aware of perceptions—because the public doesn't know what's in a note—and, to the extent possible, minimize the note passing.

C. DIRECTOR'S REPORT**5. Director's Announcements****6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –***Re: 18th and Alabama – Zoning Map Amendments and Code Amendments*

- Supervisor Daly requested that the ordinance be sent back to Land Use Committee with respect to affordability issues for the 23 percent of the project that would not be income restricted.

Re: Castro Street Entertainment Exemption from Conditional Use

- This was passed +11-0 on first reading.

Re: The Medical Cannabis Dispensaries

- There was a six month extension of the moratorium but it was heard last week and it was only for 60 days. He and others argued that in fact a proposal could be done in 60 days but it would not be before the Board for adoption because it would have to come back to Land Use for amendments and go before the Commission. In reality, it would have to be extended for another 60 days.

Re: 2506 Union Street

- The Commission reviewed this and took Discretionary Review.
- This was appealed with a categorical exemption and rear yard modifications.
- This was upheld.

Land Use Committee

- There were hearings for various fee proposals for Rincon Hill.

Marshall Foster reported:

- Yesterday there was a Land Use Committee that only looked at the fees for Rincon Hill.
- The \$11.00 (local infrastructure fee) was well received.
- Other types of services were brought up at this meeting like fire, police, citywide services, etc. These services would have to be increased.
- The new property tax that would be generated from Rincon Hill was also discussed.
- There was a specific request to do a specific analysis of what the needs will be for additional services in the district and what the Department sees in terms of fees and transfer tax revenue to meet those needs.

- There was discussion on the Commission's resolution making recommendations to the Board. Supervisor Sandoval specifically proposed a \$3.00 citywide fee to deal with things such as parks, street and transit improvements.
- There was discussion on an additional housing fee and whether it would be south of market or citywide. This would be something the full Board would discuss.
- Working with the Mayor's Office of Housing, an economic consulting firm (Economic and Planning Systems) made a presentation to the Land Use Committee on what the potential would be for additional fees. They made an analysis and this information will be provided to the Commission next week.

BOA –*Re: 755 22nd Avenue*

- This was before the Board of Supervisors on Tuesday. This was a categorical exception appeal for a 600 square foot addition.
- The Commission deadlocked on a Discretionary Review vote of +3-3. Since there wasn't a continuance the project was deemed approved.
- An appeal of the Commission's decision was filed with the Board of Appeals and then a categorical exception was filed and heard on Tuesday.
- The appellant mentioned that the mid block open space was historic in nature in that it had been subdivided all at one time. The Board upheld the Commission's determination +7-3; Supervisor Daly was absent and Supervisors Amiano, McGoldrick and Mirkarimi voted No.
- The BOA heard the item and upheld the permit +4-1; Commissioner Saunders dissenting.

Re: 1921 Webster Street

- This came before the Commission with concerns about property line windows. The BOA upheld the Commission's decision +3-1; Commissioner Sugaya dissenting.

Re: Sutro Tower

- He had issued a determination that no Conditional Use was required--that is why the Commission heard a Discretionary Review last week.
- This determination was appealed and it was upheld +4-0.

Re: 4726 Geary Boulevard

- A determination he made regarding a violation on a massage and acupuncture use that exceeded the allowed size for an accessory massage use was a front for inappropriate activities. The Board did not uphold this, released the suspension, required that they maintain the rules for accessory massage use, etc.
- The applicant recently hired an acupuncturist that is on call.
- The Police Department and the Health Department are working together to fight locations that are more for prostitution.

7.

(S. EXLINE: (415) 558-6332)

BIOSCIENCE PLANNING TASK FORCE - the Board of Supervisors appointed the Bioscience Task Force primarily to determine the land use regulations for bioscience uses. This presentation will be an **informational presentation** to the Planning Commission by members of the Taskforce on their recently released report, specifically their suggestions for land use controls.

*Presenters:***Karin Woods – Mission Bay Development/Mission Bay Citizen's Advisory Committee/USF Community Advisory Group**

- She was asked to be a member of the bioscience task force, which was empowered by the Board of Supervisors to analyze the land use and zoning recommendations for the possibility of using bioscience resources outside Mission Bay and Hunter's Point.

- They discovered during the one and a half year study that it is important to know what the community needs and what the industry needs.

Scott Williams – MBBG Architecture/Design/Planning

- They do a lot of work in the bioscience industry.
- What the industry needs is basically building permits.
- In order to have bioscience, one needs buildings.
- The patent time frames are extremely crucial.
- The difference between success and failure could be a few months.
- Bioscience truly brings a mixed use.
- Usually the process follows this order: 1) Research; 2) development; 3) pharmaceutical operations (also known as manufacturing) and 4) marketing operations.
- Planning helped them with defining PDR and they used it as a template to do their research.
- There are many types of uses in bioscience. For example, there are offices for laboratory use, which are separate from administrative offices.
- There is need for chillers and boilers, outdoor and indoor, and many of these items cause a lot of noise.

Peter Cohen

- He is a member of the task force and he is involved mostly in community perspectives.
- Bioscience also needs to be weighed in with the uses in the Eastern Neighborhoods.
- There are many questions to ask regarding zoning controls and policy perspectives.
- The land use recommendations received input from many communities and committees.

Lori Yamaguchi – Assistant Vice Chancellor for Campus Planning for UCSF

- The recommendations they determined involves various areas that include, for example, safety, size, etc.
- Their recommendation for zoning bioscience is 1) treat bioscience as Mixed Use grouped into light, medium and core bioscience; 2) use "overlay zones" as land use framework to allow bioscience in industrial PDR areas; 3) two overlay zones of PDR sizes recommended: Zone 1 – areas immediately close to Mission Bay and Hunter's Point Shipyard, Zone 2 – areas to the North and West of Zone 1 areas; 4) BSL 1 and BSL 2 without buffer from residential districts; 5) BSL 3 labs be separated by a 50 foot buffer from residential districts; 6) No BSL 4.
- She displayed a map of the BSL zones.
- Other issues include: economic development and job training; etc.

SPEAKER(S):

Francisco DeCosta

- He is very interested in this bioscience technology.
- Something to take into consideration is to study the history of Mission Bay.
- There is also concern for the type of soils in the area.
- Even though protocols have not been discussed in detail, there should be emergency protocols in place.
- There are residents living close by.
- It is not sufficient to offer jobs without considering quality of life standards.

Joe Boss

- He is happy that the task force was formed thanks to Supervisor Maxwell.
- As the City embarks on this, he does not want to see a "train wreck" created by saying that a 50-foot separation is good enough.
- The City does not need more task forces or committees to investigate things.
- He would like to see more language on separation.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With

respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Julian Lagos

Re: 800 Brotherhood Way

- He is opposed to this project. The developer has not put out any notices to the neighbors.
- He hopes that the Commission will at least continue this project for 30 to 60 days until the neighbors are notified.
- He is concerned about gentrification, seismic stability and that the area will be in danger with this type of project.

Joe Morales – Tenant's Union, Senior Action Network, MAC

Re: Park Merced

- This area should not be gentrified but protected.
- It is very important to fight for the neighborhoods.

E. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

8. 2004.0487C (W. HASTIE: (415) 558-6381)
179 SAN CARLOS STREET - east side, between 18th and 19th Streets, Lot 23 in Assessor's Block 3589 - **Request for Conditional Use** Authorization for the construction of a new three-unit building over 40 feet in height, per Code Section 253. The property is located within an RH-3 (House, Three-Family) District with a 50-X Height and Bulk limit. The proposal is to construct a new three-unit building on a vacant lot with three off-street parking spaces at the ground level.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of April 28, 2005)
- SPEAKER(S): None
 ACTION: Without hearing, item continued to June 2, 2005
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

F. REGULAR CALENDAR

9. 2004.0798D (M. SMITH: (415) 558-6322)
2070 30TH AVENUE - east side between Pacheco and Quintara Streets, Lot 003M in Assessor's Block 2149 - **Request for Discretionary Review** of Building Permit Application No. 2004.01.26.4825, proposing to construct a two-story horizontal addition at the rear of a single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project with modifications
 (Continued from Regular Meeting of April 21, 2005)
NOTE: On March 3, 2005, following public testimony, the Commission continued the matter to April 21, 2005 to allow the Project Sponsor to hire an architect to present alternative designs and to continue to work with the neighborhood trying to reach an agreement on a design. Public Hearing remains open. NOTE: On April 21, 2005, the Commission continued it to May 19, 2005.

SPEAKER(S): None

ACTION: Without hearing, item continued to June 23, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

10. 2005.0068D (S. VELLVE: (415) 558-6263)
4967-4969 - 17TH STREET - south side between Stanyan and Shrader Streets; Lot 059 in Assessor's Block 1289 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application 2004.11.03.8481 proposing to legalize the merger of two dwelling units into one dwelling unit within a two-unit building in an RH-2 (House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and disapprove the permit.
(Continued from the Regular Meeting of May 5, 2005)
NOTE: On April 21, 2005, following public testimony, the Commission closed the public hearing and entertained a motion to not take Discretionary Review and approve the project. The motion failed with a +3-2 vote (Commissioners Hughes and Olague voted no and Commissioners Alexander and Bradford Bell were absent). Subsequently, the matter was continued to April 28, 2005 by a +5-0 vote (Commissioners Alexander and Bradford Bell were absent. Public comment will remain open only to address any new or modified information or material. On April 28, following additional Commission deliberation, this matter was continued to May 5, 2005. The item was subsequently continued to May 19, 2005.

SPEAKER(S):

(+) **Bernard Tom – past owner**

- When his father purchased the property, there were two units.
- He later discovered that the property was not legal for two units.
- He was worked as an inspector for the Building Inspection Department.
- If he were inspecting the property, he would have to suggest to the owner to legalize a unit or to revert back to single family dwelling.

(+) **Cristine Bruskey**

- She is concerned with the Commission's way of dealing with mergers because it [the Commission's actions] is not promoting family environments.
- Many families are being pushed out of San Francisco.
- This City should try to help people. It is hard to raise a family here.

ACTION: Took Discretionary Review and disapproved the merger

AYES: Alexander, Bradford Bell, Hughes, Olague

NAYES: Antonini, S. Lee, W. Lee

11. 2005.0187D (D. SIROIS: (415) 558-6313)
3772-3776 20TH STREET - north side between Dolores & Guerrero Lot 021, Assessor's Block 3598 - **Mandatory Discretionary Review**, under the Planning Commission's Policy on Dwelling Unit Mergers, of Building Permit Application No. 2005.01.27.4177, proposing to convert a five-family dwelling to a four-family dwelling. The subject property is located in an RH-3 (Residential, House, Three-Family) District in a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approved application as submitted.

SPEAKER(S):

(+) **Jeremy Paul – Representing Project Sponsor**

- This house was originally constructed as a three family dwelling and was legally converted to four. The fifth unit was added some time thereafter.

- The Planning Department placed a restriction that there should be no more units added. Eventually however there was another unit added.

- The added unit does not function as a separate unit. It was carved out from another unit.

ACTION: Did not take Discretionary Review and approved the merger

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

12. 2004.0346DDD (G. CABREROS: (415) 558-6169)
245 - 23RD AVENUE - west side between California and Clement Streets, Lot 009 in Assessor's Block 1410 - **Requests for Discretionary Review** of Building Permit Application 2005.01.14.3280 to construct two additional stories and a rear horizontal addition to the existing two-story, two-unit building resulting in a four-story, two-unit building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.
 (Continued from Regular Meeting of May 5, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 2, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

13. 2004.0560D (G. CABREROS: (415) 558-6169)
251 28TH AVENUE - west side between Lake and California Streets, Lot 005 in Assessor's Block 1388 - **Request for Discretionary Review** of Building Permit Application No. 2004.02.13.6414, proposing to construct a two-story rear addition to an existing two-story, single-family houses in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve with modifications
 (Continued from Regular Meeting of May 5, 2005)

SPEAKER(S):

(-) Lou Blazej – Representing Discretionary Review Requestor

- There is a pattern to the houses on the street where this project is proposed.

- This pattern should be maintained and protected.

- It is an inappropriate proposal. He hopes the Commission will deny this application.

(-) Bernard Smith – Discretionary Review Requestor

- If this large, obtrusive structure is allowed, he will lose light and air coming to his house.

- He understands the need for improving the quality of life of your children, but the previous owner raised four children there.

- The proposal should be neighbor friendly and it is not.

(-) Josephine Smith

- She objects to this rear addition.

- She and her husband have lived in their home for 33 years.

- All of the houses in the area have three bedrooms only.

- She and her husband raised children in their house with the size that it is now.

- If this project should be approved, she asks for a four-foot setback. This will allow sunshine and air to their home.

(-) Julia Birmingham

- There are a few houses on the block that already have diminished light and air and one of them is her parents house.

- The proposal would cause a tunnel affect on her parent's home.

- She requested that the Commission not allow this proposal to go forward.

(-) Teresa Going

- She objects to the rear expansion. It will strongly affect the quality of her parent's home.
- Her mom really enjoys putting the clothes out on the line and she enjoys the sunshine.
- This extension would hurt the character and style of the neighborhood.

(-) Ann Marie Smith

- The proposed extension would affect the livability of her parents.
- The proposal would also be incompatible with the character of the neighborhood.

(-) Grace Shanahan

- This proposal would not allow for the current mid block open space.
- The mid block open space also allows for light to come in to kitchens in the homes on the block.
- Prices are not the only singular reason that stops people from living in San Francisco; it is also the quality of life.
- The pattern of the mid block open space will be destroyed if this proposal is approved.

(-) Angus McCarthy

- He does not know the Discretionary Review requestor but he is working on a project similar to theirs. Even though the guidelines allow you to build in a certain way, there should be respect for the existing conditions.
- He hopes that the Commission will revise this plan or deny it all together.

(-) Oliver McCabe

- He is a retired building inspector.
- This proposal will affect the quality of life for the Discretionary Review requestor.
- The DR requestor has a very small yard and the proposed addition will completely block their light and air.

(-) Diane O'Malley

- She lives in the area.
- She is here to support and guard the light and air and quality of life of the DR requestor.
- It is important to protect open spaces. She came from Manhattan so she values open spaces.

(-) Joe O'Donaghue

- This block has remained unaltered for many years.
- If this addition is allowed, it will invade the privacy of all neighbors.
- Price is not just the only thing; it is the quality of life that is important as well.

(-) Steve Williams

- He found out about this project and could not resist coming and expressing his opposition to it.
- This project will impact the light and air for the neighbors.
- He agrees with the planner's recommendation to modify this project.

(-) Alex Landsford

- It is important to maintain historical continuity in neighborhoods.

(+) Mark English – Project Architect

- He has been working with the project sponsor for about a year now on this project.
- He described the project and how this design is allowed from the Residential Design Guidelines.

(+) Ron Miguel

- He reviewed the changes made by the architect and he supports this project.
- Nothing is static and should not remain static. There are always changes being done to homes.

(+) Beverly Spector

- She purchased the home many years ago and now they have two children.
- They spoke to their neighbors about the proposed project.
- They do not want to harm anyone but the neighbors did not want to speak to her.
- She agrees with the modifications to the project.

(+) Kenneth Lipson

- He feels that he should enjoy his property rights and their project should be allowed.

- This addition is not intrusive and it is an impressive design scheme.
- The revised design respects the neighborhood character.
- Many petitioners who signed opposing the project did not know what they were signing.

ACTION: Took Discretionary Review and approved with the following modifications: 1) align the depth of the rear wall of the first floor with the rear wall of the Discretionary Review requestor's building; 2) allow for a two foot bay; 3) the southern wall of the ground floor remains as shown in drawing 51105; 4) the ground floor north wall should have a side set back of three feet from property line; 5) back stairs relocated to the south wall of the ground floor; 6) the existing 11 foot high wall should be reduced to 6 feet; 7) three foot setbacks on both sides of second floor; 8) elimination of three foot section of the walk in closet which extends the light well (light well would therefore be 9x6); 9) deck is still with the restriction on decking on the north side and open railing.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

NOTE: During Public Comment at the end of the May 19, 2005 calendar, new information was introduced to the Commission regarding this case. The Commission President instructed that this item be calendared on May 26, 2005, for possible reconsideration.

14. 2005.0284D (G. CABREROS: (415) 558-6169)
2430 BROADWAY - north side between Steiner and Pierce Streets, Lot 005 in Assessor's Block 0562 - **Request for Discretionary Review** of Building Permit Application No. 2002.08.06.3311, proposing to construct a rear horizontal addition including a new garage at the rear of a three-story, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.

SPEAKER(S): None

ACTION: Without hearing, item continued to June 2, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

15. 2005.0147D (D. DIBARTOLO: (415) 558-6291)
1763-1765 JONES STREET - southwest corner at Vallejo Street; Lot 001, Assessor's Block 0151 - **Mandatory Discretionary Review**, under the Planning Commission's policy on dwelling unit mergers, of Building Permit Application No. 2004.12.20.1804, proposing to convert the building at 1763-1765 Jones Street from a two-unit building to a single family dwelling, to result in two single family dwellings within two buildings on the subject lot. The subject property is located in an RH-3 (Residential, House, Three-Family) District in a 40-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and disapprove the application.

SPEAKER(S):

(+) Emily Huang – Project Sponsor

- She and her husband moved to San Francisco in 1994.
- They were able to purchase the home they currently own.
- They request permission to merge the house because their family is growing.
- She has her retired parents who love San Francisco and live with them for periods of time.
- It is their dream to have three generations live under one roof.
- They started a design firm and their office is located a few blocks away.

(+) Gregory Iboshi – Project Architect/Project Sponsor

- No tenants will be displaced with this proposal.
- This proposal would create a residence with three bedrooms.
- This is not excessive for the neighborhood.
- There is only one parking space for the three units.
- The merger would not alter the design of the house.
- The proposal will not be negative to the neighbors and they have many supporters.

(+) Kim Stryker

- She has known the project sponsors for a few years.
- They are a very community oriented family.
- She knows that they value family a lot and she respects that.

(+) Henry Huang

- He and his wife are the parents of the project sponsor.
- He really wanted his family to have a good education and have raised great children.
- His child's family is growing and this is the reason they want to expand their house.

(+) Bartholomew Murphy

- He is a neighbor of the project sponsor.
- He knows that the Commission is pro-family therefore he hopes that they will approve this merger.
- San Francisco is known for it's diversity and families are a part of this.
- He hopes that the Commission will not follow the recommendation of staff and approve the merger.

MOTION: to not take Discretionary Review and approve the merger
 AYES: Antonini, Bradford Bell, S. Lee
 NAYES: Alexander and Olague
 ABSENT: Hughes and W. Lee
 RESULT: Motion Failed

MOTION: Continue the matter to May 26, 2005 to allow absent Commissioners the opportunity to participate in final action.
 AYES: Alexander
 NAYES: Antonini, Bradford Bell, S. Lee, Olague
 ABSENT: Hughes and W. Lee
 RESULT: Motion Failed

ACTION: In the absence of a substitute motion the merger is approved

- 16a. 2005.0213D (M. SNYDER: (415) 575-6891)
84 SYCAMORE STREET / 50 CLARION ALLEY - a through lot on the north side of Sycamore Street between Valencia Street and Mission Street, Lot 077 in Assessor's Block 3576 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Building Permit Application No. 2003.04.15.2333 proposing to demolish two dwelling unit structures. The property is within an RH-3 (House, Three-family) District, and a 50-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project
 (Continued from Regular Meeting of May 5, 2005)

SPEAKER(S):**(+) Matthew Brennan – Project Sponsor**

- The demolition consists of two existing structures.
- There has been concern about the safety of this structure since the roof has already collapsed.
- The structure has been vacant for two years.

- The property has been deemed non-conforming and non-compatible.
- The new structure will consist of three units, which will be very large.
- It will allow for maximum light and air.
- The project will contain a height setback to lessen the impact of the height of the structure.
- Through communication with the neighbors, the project has been revised to deal with their issues.
- The windows will be soundproofed because there is a neighbor that owns a bar nearby.
- There is ample transportation nearby.

(+) Jerry Agosta

- He owns a building across the street.
- The structure is dangerous and it should come down right away.
- He residents of the homeowners association communicated to the project sponsor to design the new building with a setback and he did.

(-) Nick Pagalagos – Mission Anti-Displacement Coalition

- The soundness of this structure is at issue. The building was occupied for many years.
- Supervisor Matt Gonzales lived there for many years and he stated that the building was fine.
- The soundness of the structure was compromised with the gutting of the structure and perhaps it was gutted on purpose.
- The Commission should not reward the project sponsor. He did not take out the necessary permits.
- The new building will not have affordable units.

(-) Erick Quesada – Mission Anti-Displacement Coalition

- He knows that the project sponsor did things that should not have happened.
- This should not be a pattern in the neighborhood.
- This project should not go forward without close scrutiny.

(+) Kelton Finney – Engineer

- She wrote the soundness report.
- She inspected both buildings more than once and both are in a state of severe decay.
- They were in a state of severe decay even before they were gutted.
- The building would need a tremendous amount of repairs.

(-) Sue Hestor

- There are various permits that were taken out previously.
- She does not think that a supervisor would live in place that would need demolishing.
- The new housing will not be family housing.
- The roof collapsed because it was gutted on purpose.

ACTION: Did not take Discretionary Review and approved the demolition

AYES: Alexander, Antonini, Bradford Bell, and S. Lee

NAYES: Olague

ABSENT: Hughes and W. Lee

- 16b. 2005.0214D (M. SNYDER: (415) 575-6891)
84 SYCAMORE STREET / 50 CLARION ALLEY - a through lot on the north side of Sycamore Street between Valencia Street and Mission Street, Lot 077 in Assessor's Block 3576 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new residential buildings in association with residential demolition, of Building Permit Application No. 2003.04.15.2333 proposing to construct a three- unit structure. The property is within an RH-3 (House, Three-family) District, and a 50-X Height and Bulk District.
 Preliminary Recommendation: Take Discretionary Review and approve the project as modified, and with conditions
 (Continued from Regular Meeting of May 5, 2005)

SPEAKER(S): See Speakers for item 16a.
ACTION: Took Discretionary Review and approved with modifications and conditions: 1) setback top floor; 2) Commission and Planning Staff shall continue to work with sponsor on project; 3) Zoning Administrator will consult with City Attorney regarding permit process.
AYES: Alexander, Antonini, Bradford Bell, and S. Lee
NAYES: Olague
ABSENT: Hughes and W. Lee

17. 2004.0916L (M. SNYDER: (415) 575-6891)
900 INNES AVENUE - northeast side between Griffith and Winters Point Boulevard. Assessor's Block 4646 and Lot 007 - **Request for Landmark Designation** under Planning Code Sections 1004.1, 1004.2 as City Landmark No. 250. The subject property is within an NC-2 (Neighborhood Commercial - Small Scale) District and a 40-X Height and Bulk District.
 Preliminary Recommendation: Approval
 (Continued from Regular Meeting of April 21, 2005)

SPEAKER(S):

Presenters:

(+) Erin Farrell – IBNA (India Basin Neighborhood Association)

- She has lived in India Basin for about five years.
- The Neighborhood Association has a mission to preserve the history of the area.
- This cottage has a very important part in this history.
- Community volunteers have been working to save this property for many years.
- They have received about 600 signatures supporting saving this property.
- She has researched the history of the property including oral histories from the maritime museum and collections of family photos of people that have lived in China Basin.
- The Landmarks Board voted to assign this property as a landmark.

(+) Melita Rines – IBNA

- She displayed a map of the China Basin area pointing to the various zoning areas-- Navy shipyard, PG&E plant and 900 Innes Avenue.
- She hopes the Commission will support the Landmark designation.

(+) Wendy Brummer – IBNA

- She lives on Innes Avenue.
- The subject property has been a humble structure for many years.
- The property was built in 1875 and has original ornamentation.
- The property also has historical architectural significant features.
- There is dry rot and the foundation is practically non-existent, but the current owner had a family living there up to a month ago. So it was habitable.
- The issue is not how bad the renovation will be, the issue is whether or not this building is worth preserving based on its history.

(+) Jill Fox – IBNA

- She has lived in India Basin for 12 years.
- May is National Preservation Month and the Commission can honor this designation by voting yes to this Landmark.
- The Landmarks Board voted to designate this property a Landmark.

(-) Hilary Lazar

- She was hired to verify the facts in this designation report.
- The report is a flawed document full of misinformation, misrepresentation and irrelevant facts.
- The document fails to follow typical research protocol.
- The report seems driven by an assumption and inference rather than hard evidence and verifiable facts.

(-) John Britain – Gary Gee Architects

- He displayed a geological map of the area explaining how the area has significantly changed.

(-) Pat Buskovitch

- He did a structural investigation of the building.
- The building was deconstructed in the 1920s and reconstructed.
- What is there now is not what was there in 1899, but it is seismically dangerous.

(-) Tom Reeves

- He is an engineer and studied the building
- The foundation was constructed in the 1920s using concrete. It is not concrete over brick.
- The beams and exterior walls are continuous.
- The rear end of the building is an infill from the 1970s where they leveled in the concrete.
- Basically, the building went through a number of remodels.

(-) Alice Barkley

- If there is any doubt regarding the stability of the property, the presenters are available for questions.

(+) Julie Lane – IBNA

- Bulldozing this site is not the answer for this community. It is not what the community needs nor is it their vision.

(+) Greg Asay – Office of Supervisor Maxwell's Office

- This is the last stand regarding San Francisco's maritime working community.
- It is important to think about the basis of the Commission's decision.
- To rise to the level of preservation, not all the criteria need to be met.

(-) Pastor Bell – The Church of San Francisco

- The site is just blight on the community.
- The project proposed for the site, would create jobs and homes.

(-) Francisco De Costa – Environmental Justice Advocacy

- He recently went to the site and it does not meet any of the criteria to designate this a landmark.

(-) Jeff Condit

- The site in question is a perfect place to renew and renovate.

(+) Marcie Prohovsky – Resident/Local Business Owner

- Designating this site as a Landmark will encourage tourism and this would be good for the City.

(+) Kelley Lawson – IBNA

- Although the property is humble, it is solid.
- If the property were in such a bad condition, there would not have been a family living there with no kitchen.
- The damage could be fixed.
- Preservation is about historical significance.

(+) Pauline Peele

- Making this site a Landmark fits under the San Francisco Planning Code.
- It will enhance property values and improve the neighborhood in areas as well as increase financial benefits to the City.

(+) Tori Freeman

- She grew up in the area.
- There is a list of supporters that she presented to the Commission, which includes various organizations and businesses.

(+) Karen Everett

- She supports the history of the area because it is a history of working class people.
- There are people that will benefit if this property is designated a landmark.

(+) Adrian Card – Bayview Historical Society

- He lives and works in the neighborhood.
- The community includes hard working, tax paying people.

- Saving this structure will benefit the community.

(+) Ingrid Reissland – IBNA/Our lady of Lourdes

- As much interest as the developer has, the community wants to make it better by preserving this structure.
- She would like to have her daughter go to a maritime park or a museum.

(+) Staci Selinger

- She lives in the area.
- Making this site a landmark will make the area a recreation destination for San Franciscans and beyond.
- It is important for people who travel to have a museum or historical place to visit.

(+) Brian Scott

- He has lived in the area since 1996.
- There are so many people involved in this that it makes it exciting.
- He will be working with community organization to help youth build a scout schooner.

(+) Cheri Tsai

- This structure needs to be saved if that is what the community wants.
- The neighbors are working hard to improve this area.
- She requested that this property be preserved in order to have a connection with historical San Francisco.

(+) Justice Harris

- She is working hard to save the maritime history of India Basin.
- The building is irreplaceable and should be preserved at its current location and not anywhere else.

(+) Greg Freeman – Contractor/Union Member

- He is a resident of Innes Avenue.
- The community's vision is to have a maritime museum.

(+) Courtney Clarkson

- She expressed her dismay at an earlier Commission hearing regarding the many demolitions going on in San Francisco.
- She urged the Commission to landmark this property because it is what the community wants and from which the community will benefit.

(-) Gary Gee

- The building was completely gutted sometime after 1926.
- There are various renovations to the structure.
- There is no proof that the building was around as it was stated previously.

(-) Bruce Baumann

- He is opposed to the landmark designation.
- The question is whether this structure is worthy of a landmark designation?
- The project has been renovated many times.
- Did anyone from the Landmarks Board or the Planning Department come and inspect the property?

(+) Pamela Ward

- This area is being a target of environmental prejudice.
- What the community wants to do is viable to the community.
- She feels that this is money vs. the locals.

(+) Alex Lantsberg – Norcal Carpenters

- She supports the designation of landmark for this building.
- There have been no presentations on the proposed new structure.

(-) Lynn Geyer

- She read a letter from a neighbor who is opposed to making this project a landmark.
- She is appalled by the "witch hunt" going on here.

(-) Grace Shanahan

- She continued reading the letter read from the previous speaker.

(-) Michael Spear

- If this property is landmarked it would cost a lot of money and the structure would continue to deteriorate.

(-) Patrick Doherty

- He owns a business on Innes Avenue.
- He believes that the property is not historically significant.
- The supporters submitted 600 signatures but he was never approached to sign.
- He feels that this is just a personal vendetta against the project sponsor.

(+) Melissa Sherman

- Designating this a landmark will create revenue to the community and would allow residents to enjoy various amenities.

(+) Bill Glover

- The staff planner who is supposed to be impartial is really not.

(-) Demetrius James

- He protests the planning process by the India Basin residents.
- Initially the group made up a story that the proposed site was a site of a historical school.
- The truth of the matter is that the IBNA's involvement is just because they are opposed to any type of housing.

(-) Casey Caruso

- This process has gotten out of hand and has cost residents a lot of time.
- Many people are supportive of housing and new businesses.

(-) Maryanne Diaz

- The structure is just a run down shack and is rotten from the core.
- The Commission should see this with their own eyes.
- Preserving it would do a disservice to the community. It is a haven for crime.

(-) Angus McCarthy – Residential Building Association

- He attended the Landmark Board hearing.
- It is important to do this City well be demolishing it.
- He hopes the Commission will not allow this designation.

(-) Richie Hart

- There is only one house that has been in the area for a long time and it is not 900 Innes Avenue.
- The City needs jobs and the proposed project would provide that.

(-) Bart Murphy

- He is opposed to making this structure a landmark.
- The evidence before the Commission does not take this to the level of a landmark.

(-) Simon Casey

- He is opposed to making this structure a landmark.
- Many of the statements made today are not accurate.

(-) Dennis Bruney

- There is no documentation to support what the conditions are in the building.
- He opposes the landmark status.

(-) Mark Brennan

- No one seems to know what this structure was.
- This is only a shack.
- Why did the community wait to ask for landmark status when something better is being proposed?

(-) Joe O'Donaghue

- This process is just a waste of money.
- The site is just a disgrace.
- Jobs are more important than landmark status at this location.

(+) Hellen Collin

- The subject property has evidence that it has been around for hundreds of years.

(+) Eva Hum

- She wants palm trees around her neighborhood or swimming pools, etc., but it is important to her that her children have a place that is of historical significance.

ACTION: Public Hearing Closed. Item Continued to July 7, 2005. Staff is to do more historical research on property. (The Public Hearing will remain open if new information is provided).
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague
 ABSENT: W. Lee

18. 2004.0055R (J. SWITZKY: (415) 575-6815)
AMENDMENTS TO THE TRANSBAY REDEVELOPMENT PLAN (GENERAL PLAN REFERRAL) - The Planning Commission adopted General Plan conformity findings for the Transbay Redevelopment Plan on December 9, 2004. However the Redevelopment Agency has proposed amendments to the Transbay Redevelopment Plan resulting from Board of Supervisors input on the Plan, **requiring new General Plan conformity findings, pursuant to Section 4.105 of the City Charter and Section 2A.53 of the San Francisco Administrative Code.**
 Preliminary Recommendation: Approve the Draft Motion finding the proposed amendments to the Transbay Redevelopment Plan in conformity with the General Plan.
 (Continued from Regular Meeting of May 12, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued to May 26, 2005
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

19. 2002.0805RTZ (M. FOSTER (415) 558-6362)
MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider proposed amendments to the Mid-Market Preliminary Plan, **Adopting Amendments to the Mid-Market Preliminary Plan, and Making CEQA findings and findings of General Plan Conformity** related to the Mid-Market Redevelopment Plan as amended.
 Preliminary Recommendation: Adopt Amendments to the Mid-Market Preliminary Plan and make CEQA findings and findings of Conformity of the Mid-Market Redevelopment Plan, as amended, with the General Plan

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 2, 2005
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

20. 2005.0076T (D. SIDER: (415) 558-6697)
ESTABLISHING ADDITIONAL AFFORDABILITY REQUIREMENTS FOR SRO UNITS - **Consideration of an Ordinance amending Planning Code Section 890.88 to define a Single Room Occupancy (SRO) unit as a unit that is affordable to very low income or extremely low income households and making findings of consistency with Planning Code Section 101.1 and the General Plan**
 Preliminary Recommendation: Pending
 (Continued from Regular Meeting of April 14, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued indefinitely
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

21. 2005.0212T (P. LORD: (415) 558-6311)
DIVISADERO STREET FORMULA RETAIL CONTROLS - **Consideration of an Ordinance amending San Francisco Planning Code by amending Section 703.3 to designate formula retail uses as a conditional use** in the NC-2 (Small-Scale Neighborhood Commercial) District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
Preliminary Recommendation: Approval with modifications
- SPEAKER(S):
Mark Brennan
- He was opposed to this type of legislation for the Haight and he is opposed to it now.
- Instead of implementing these controls, there should be a wait period to see what happens in the Haight first.
- MOTION: To disapprove
AYES: Antonini, Bradford Bell
NAYES: S. Lee and Olague
ABSENT: Hughes and W. Lee
EXCUSED: Alexander
RESULT: Motion Failed
- MOTION: To approve
RESULT: The motion did not receive a second. The motion died.
- ACTION: Public Hearing Closed. Item Continued to May 26, 2005 to allow absent Commissioners the ability to participate in deliberation and action.
AYES: Antonini, Bradford Bell, S. Lee, Olague
ABSENT: Hughes and W. Lee
EXCUSED: Alexander
22. 2004.0076C: (B. FU: (415) 558-6613)
1350 NATOMA STREET - west side, between 14th and 15th Streets, Lot 089 in Assessor's Block 3548 - **Request for Conditional Use** authorization pursuant to Planning Code Sections 215 and 303 to allow the construction of 8 residential dwelling units in a C-M (Heavy Commercial) District with a 50-X Height and Bulk Designation, and in a Housing/Mixed overlay as designated by Planning Commission Resolution No. 16727. The proposal is to demolish the existing industrial building and construct 8 dwelling units within a new four-story over ground floor parking garage building containing a total of 8 off-street parking spaces.
Preliminary Recommendation: Approve project with a maximum height of 40 feet with conditions
(Continued from Regular Meeting of April 28, 2005)
- SPEAKER(S): None
ACTION: Without hearing, item continued to June 2, 2005
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague
23. 2003.0536ECR (B. WYCKO: (415) 558-5972)
800 BROTHERHOOD WAY (A.K.A. 3711 19TH AVENUE) - **Appeal of Preliminary Mitigated Negative Declaration** - The proposed project is the construction of up to 182 dwelling units on an approximately 7.7 acre undeveloped site located on the north side of Brotherhood Way, west of Chumasero Drive, east of Lake Merced Boulevard. The project would involve subdividing the site into about 121 lots and constructing 60 single-family homes and 61 2-unit dwellings. The 121 buildings would be between 3 and 4

stories tall, with heights up to 40 feet and would total about 444,273 gross square feet. A mix of independently accessible and tandem parking spaces would be provided, for a total of 364 off-street parking spaces. Twenty-one on-street parking spaces would also be created along a new two-way internal private loop road. Access to the site would be via a new driveway on the unimproved portion of the north side of Brotherhood Way abutting the site. There would be a traffic signal at the new access driveway and Brotherhood Way intersection that would be interconnected with the existing signals at Brotherhood Way/School (Church) Access Road, located about 330 feet to the west, and the Chumasero Drive/Brotherhood Way intersection, about 560 feet to the east. The project site is located in an RM-1 (Mixed Residential, Low Density) District and a 40-X Height and Bulk District. The proposed project would require approval of a Conditional Use Authorization for a Planned Unit Development and exceptions for minimum lot sizes, minimum rear yards depths, and bay window dimension.

SPEAKER(S):

(-) Adena Rosmarin – 1st Appellant – Lakeshore Acres Improvement Club

- The Planning Department has used the wrong "ruler" to measure the impacts on this project.
- Planning has used the uses to the north as a base for their findings on this report when they should be based on both north and south.
- There is inaccurate data in the report.
- Regarding the biological assessment, Planning has failed to do a thorough analysis because their investigation only covers one season when certain species are migrating.
- The information and determination from Planning is invalid.

(-) Armand Kilijian – 2nd Appellant – St. Gregory Armenian Apostolic Church

- He does not agree with staff's report or response.
- The area has a variety of ethnic and religious communities.
- Traffic along the corridor is growing rapidly.
- There are five different schools in the area.
- The proposed housing development would hinder the growth of these schools.
- No one has received a straight answer on why the entrance to the housing unit has to be on Brotherhood Way instead of Park Merced Boulevard.

(-) Ollia Yanikomshian – 3rd Appellant - K.Z.V. Armenian School

- She represents parents who are opposed to this development.
- Brotherhood Way has been a combination of schools and churches.
- The increase in traffic would be tremendous.
- The community has issues of safety and traffic.

(-) Marie Brooks – 4th Appellant – Lake Merced Church of Christ

- There are beautiful trees on the streets where the project is proposed.
- The area was never meant for housing.
- The area still feels like open space and country surroundings.
- The increase in traffic would create a hazard for the children attending the schools in the area.

(-) Andrew Thanos – Holy Trinity Greek Orthodox Church (Parish Council)

- He understands that Park Merced is selling the property with the condition that the new structure should have the entrance on Brotherhood Way.
- This would impact the area tremendously.
- One solution would be to reduce the density of the project.

(-) Lynn Lynch – Preserve Our Neighborhood

- There are inaccuracies with the information provided by the developer.
- This was a similar situation when the Stonestown project was done.
- An EIR should be written because it needs a thorough analysis.

(+) Ron Miguel – HAC

- He has looked at the answers the Department has provided.
- The negative declaration is accurate.

- He is very informed about this area.
- The area is a highway link to various areas of San Francisco.
- (-) Robert Pender – Vice President - Park Merced Residents**
- He has lived in the area for many years.
- The area is a haven for housing because of its beauty.
- There were about four other people here in support of the project but they had to leave.
- (+) Bert Polacci – Carmel Partners**
- The proposed project would benefit the area because it will be a connection to various amenities.
- He hopes that the Commission will approve this proposal.
- (-) Father Michael Pappas**
- At one point, it was decided that the corridor should be reserved for religious institutions.
- The proposed project would be a violation of the spirit of these religious institutions.
- The project would increase vehicular traffic that would be dangerous to the children who attend the schools.
- (+) Steve Vettel – Morrison and Forrester – Representing Project Applicant**
- The document addresses all the issues that have been raised today.
- The area is not park land and it has never been park land.
- Regarding traffic: there was a lot of time spent determining where the entrance and exits would be located. The negative declaration specifies that where the driveway is located is the best place.
- There is no evidence of any endangered species using the area as their habitat.
- All trees that need to be removed will be replaced.
- (+) J.C. Wallace**
- He is a resident and homeowner of Lakeshore Acres
- He takes his children to play near the lake.
- The project will be very well designed and appropriate for the site.
- There is a need for housing in the area.
- He hopes that the Commission will approve this project.

ACTION: Negative Declaration Upheld
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague
 ABSENT: W. Lee
 MOTION: 17021

- 24a. 2003.0536CR (R. CRAWFORD: (415) 558-6358)
800 BROTHERHOOD WAY (A.K.A. 3711 19TH AVENUE) - north side (between Chumasero Drive and Lake Merced Blvd Assessor's Block 7332 Lot 002 and Block 7331 Lot 003) - **Request for Conditional Use** Authorization under Planning Code Sections 209.9 and 304 to develop a Planned Unit Development with up to 121 lots and up to 185 residential units in a mix of single family and two family dwellings. The Conditional Use authorization allows reductions in lot area and width as well as reduction of set back and rear yard requirements. The Project will have, lots as small as 963 square feet where 2,500 square feet is required under the Planning Code, as narrow as 18 feet where 25 feet is required by the Planning Code, and rear yards as shallow as 18% of lot depth where the Planning Code requirement is 45%. This project lies within an RM-1 (Residential Mixed, Low Density) and RM-4 (Residential Mixed, High Density) Districts and within the 40-X and 130-D Height and Bulk Districts.
 Preliminary Recommendation: Approval with Conditions

- SPEAKER(S):
(+) Michael Stantan – Project Sponsor
 - He presented a PowerPoint presentation on the architectural aspects of the project.
(+) Tim Colen
 - He lives in the West Portal area.

- He supports the project.
- The lake is a significant environmental resource for migratory birds. All the work being done in the area has not been harmful for these birds.
- This is a well planned, well designed project that provides desperately needed housing.

(+) Kate White – San Francisco Housing Action Coalition

- They strongly support the housing.
- This will not be luxury housing.
- There have been a number of great improvements based on the neighbor's issues.

(+) Ron Miguel – Housing Action Coalition

- The south side of the area has always had religious institutions.
- If there was an aerial picture it would show that there are planned communities.
- This project would fit in perfectly.

(+) Bert Hill

- He lives in the area.
- He is not an advocate for housing that has a lot of parking but this project is different.
- The project is family housing.
- His children are grown and they cannot afford to buy a home in San Francisco.
- This project would allow young adults to remain in the city and raise families.
- The only thing he recommends is that the crosswalks and sidewalks are created for safety of the residents.

(+/-) Armand Kilijian – St. Gregory Armenian Apostolic Church

- If there will be family housing in the area, then the project should have a place for children to play.
- He is afraid that if this is not done, the children will come to play on their property, which would not be bad, but there is a liability issue.
- The crosswalks should be improved so that they are not a hazard to the residents.
- The whole picture needs to be evaluated, not just the three traffic lights.
- If this is going to go through it should be a great project not just a good one.

(-) did not state name

- There are certain issues to this project that just don't click regarding the square footage.
- He is not saying no to housing.
- A variance needs to be discussed as well.

(+) Steve Riter - Mission Valley Properties

- When there is dialogue with the residents, a better project is created.
- They have had many dialogues with the residents and have heard all the issues.
- He has gone over and above the CEQA requirements.
- A majority of the institutions are in support of the project even though they were not able to convince everyone.

(+) Steve Vettel

- Regarding the density issue: the zoning allows for density.
- Regarding the traffic issue: there will not be any changes to the current levels of service to the intersections.
- A new intersection will be created and the impacts of the project will only be at this intersection.
- The morning peak impacts are because of the drop off of the school children.

ACTION: Approved as amended: *request that project sponsor continue to work with respective City agencies to put an emergency only access between the lower loop road at the western end and Brotherhood Way.*

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague

ABSENT: W. Lee

MOTION: 17022

- 24b. 2003.0536CR (R. CRAWFORD: (415) 558-6358)
800 BROTHERHOOD WAY (A.K.A. 3711 19TH AVENUE) - north side (between
 Chumasero Drive and Lake Merced Blvd Assessor's Block 7332 Lot 002 and Block 7331

Lot 003) - **Request for Determination of General Plan Compliance** that the development of an access drive across a portion of unimproved right of way north of Brotherhood Way, to provide access to a 182 unit residential Planned Unit Development, would be consistent with the objectives and policies of the general plan. This project lies within an RM-1 (Residential Mixed, Low Density) and RM-4 (Residential Mixed; High Density) Districts and within the 40-X and 130-D Height and Bulk Districts.
Preliminary Recommendation: Approval with Conditions

SPEAKER(S): See Speakers for 24a.

ACTION: Determination of General Plan Compliance Approved as Amended: *request that project sponsor continue to work with respective City agencies to put an emergency only access between the lower loop road at the western end and Brotherhood Way.*

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague

NAYES: Alexander and Hughes

ABSENT: W. Lee

MOTION: 17023

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Eileen Boken – SPEAK

Re: 1234 19th Avenue

- She requested a rehearing of this project.

Re: *Disconnection between the Planning Department and the Board of Appeals.*

- She asked the Board of Appeals staff what percentages of [Commission] determinations were overturned by the Board. She received the information that 60 to 80 percent were overturned.
- This is in part due to project sponsor and their legal councils believing that they can act with impunity at the Board of Appeals and malign not only the Planning Commission but also members of the public.
- She received negative criticism at the Board of Appeals as well.
- The organization she belongs to does not have any interest in acquiring the property. She is only interested in this property to designate it historically significant.

Joe O'Donaghue

Re: 251 28th Avenue

- He requested that this project be reopened because there was misinformation presented.
- The pop out is 6'x6' from the Smith's residence. From the project sponsor, the measurement is 9'. This information should be corrected and cleared up.

Adjournment: 11:44 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 16, 2005.

SPEAKERS: None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, May 26, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

JUN 27 2005

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COMMISSIONERS PRESENT: Dwight Alexander, Michael J. Antonini, Shelley Bradford Bell, Kevin Hughes, Sue Lee, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:40 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Paul Lord; Sara Vellve; Geoffrey Nelson; Dan DiBartolo; Jonathan Purvis; Jonas Ionin – Acting Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2003.1210CK (M. SNYDER: (415) 575-6891)
5600 - THIRD STREET - the block bounded by Third Street, Bancroft Avenue, Mendell Street, and Armstrong Avenue, Lots 3, 5, 6, 7, 8, 9, and 11 in Assessor's Block 5421. **Request for Conditional Use** authorization to allow residential dwelling units in an M-1 (Light Industrial) District pursuant to Planning Code Section 215, and to allow a Planned Unit Development pursuant to Planning Code Section 304, which would include exceptions to configuration of the rear yard (Planning Code Section 134), dwelling unit density (Planning Code Section 215), and for commercial parking (Planning Code Section 151). The subject property is within an M-1 (Light Industrial) District, a Third Street Special Use District (lot 11 only), and a 65-B Height and Bulk District.
(Proposed for Continuance to June 2, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 2, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

2. 2005.0375D

(G. NELSON (415) 558-6257)

1122 GREEN STREET - north side between Leavenworth and Hyde Streets, lot 006 in Assessor's Block 0122 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.28.9990, proposing to 1) enlarge the garage (previously approved but not yet constructed) internally to accommodate three cars, 2) remove and reconfigure (replace) the exterior front stairs, 3) make several minor modifications to portions of the front and side facades, and 4) remodel portions of the interior of the building, primarily the lower floor apartment, of a three-family dwelling in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. The proposal would result in the creation of three off-street parking spaces.

Preliminary Recommendation: Pending

(Proposed for Continuance to June 9, 2005) June 16, 2005

SPEAKER(S): None

ACTION: Without hearing, item continued to June 16, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

3. 2003.0869E (J. NAVARRETE: (415) 558-5975)
88 FIFTH STREET - THE OLD U.S. MINT - Appeal of Preliminary Mitigated Negative Declaration - The proposed project is the rehabilitation plus seismic upgrade and addition to the United States Old Mint located at 88 Fifth Street in downtown San Francisco (Assessor's Block 3704, Lot 11). The existing three-story plus an occupied attic 99,921-gross-square-foot (gsf) building would be retained, and the first floor courtyard enclosed in 1973 for offices would be removed, (a deduction of 4,336 gsf), and additional circulation bridges, stairs and an elevator (addition of 2,642 gsf) would be added within the existing 4-story courtyard. The existing attic would be expanded on the roof along the south side of the courtyard to create a museum gallery (an addition of 1,554 gsf) with a view of the city skyline to the south. The courtyard removal and additions of bridges and roof gallery would result in an overall reduction of gsf, for a total floor area of 99,788 gsf. The building would include 79,957 square feet if usable space total including: 36,326 sf of City History Museum space, 2,082 sf of Museum office space, 2,045 sf of museum back of house space, 2,044 sf of museum retail, and 3,336 sf of museum theater space. Tenants in the building would be the 8,153 sf Gold Rush and Money Museum, 2,492 sf of small retail lease spaces, and 6,360 gsf of restaurant space and cafe. 3,987 sf would be used for the San Francisco Visitor Center, and the remaining 11,108 sf would be circulation, toilets and support spaces ancillary to the museum use. The project would include closure of Jessie Street to vehicles, between Mint and Fifth Streets, to be used for outdoor restaurant seating. The project site is approximately 47,515 sq. ft., is zoned P (Public) within a 90-X height and bulk district, and within the Mid-Market St. Revitalization and Conservation District. Transaction document approvals would be required from the Board of Supervisors, and a Certificate of Appropriateness would be required by the Landmarks Preservation Advisory Board.
Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of May 19, 2005)
(Proposed for Continuance to June 16, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 16, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

4. 2005.0256T (P. LORD: (415) 558-6311)
SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT RESIDENTIAL CONVERSION TO OTHER INSTITUTION - Consideration of an Ordinance amending San Francisco Planning Code by amending Section 724.1 to allow for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial

District as a conditional use, where: the new use will be an Other Institution, Educational Service use, only one dwelling unit in building will be converted, and that unit is the only non-residential use in the building, and no legally residing tenant will be displaced; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of May 19, 2005)

(Proposed for Continuance to June 23, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 23, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

5. 2004.1106CV (J. PURVIS: (415) 558-6354)
1360-1364 STEVENSON STREET - west side between McCoppin and Duboce Streets; Lot 073 in Assessor's Block 3513 - **Request for Conditional Use** Authorization under Planning Code Section 215(a) to construct a four-story, five-unit residential building on a vacant lot within the C-M (Heavy Commercial) District. A Rear Yard Variance is sought under Section 134(a) to provide rear yard open space within an inner court and a rear setback. The Zoning Administrator will hear the Rear Yard Variance immediately following the Planning Commission's hearing, on the Conditional Use. The site is within the C-M District, and a 105-E Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Proposed for Continuance to June 23, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 23, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

6. 2004.1106CV (J. PURVIS: (415) 558-6354)
1360-1364 STEVENSON STREET - west side between McCoppin and Duboce Streets; Lot 073 in Assessor's Block 3513 - **Request for Conditional Use** Authorization under Planning Code Section 215(a) to construct a four-story, five-unit residential building on a vacant lot within the C-M (Heavy Commercial) District. A Rear Yard Variance is sought under Section 134(a) to provide rear yard open space within an inner court and a rear setback. The site is within the C-M District, and a 105-E Height and Bulk District.
(Proposed for Continuance to June 23, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 23, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption
- Draft Minutes of Special Meeting of April 21, 2005

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

EXCUSED: Bradford Bell

- Draft Minutes of Regular Meeting of April 28, 2005

SPEAKER(S): None
ACTION: Approved
AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
EXCUSED: Bradford Bell

8. Commission Comments/Questions

Commissioner Bradford Bell

Re: Director's Search

- She wants to know when there will be an update on the Director's Search?

Commissioner Sue Lee responded:

- This item should be scheduled in the next week or so to update everyone.

Commissioner William Lee:

Re: Van Ness Issue

- He wants a status on this case.

Commissioner Olague:

Re: 1234 19th Avenue

- She received several requests from the public to request the Zoning Administrator to rehear this case.
- Some of the concerns are the lack of information to interested parties, that the information heard at the Commission was not heard at the Board of Appeals, etc.

Commissioner Antonini:

Re: Procedure

- He requested that Commissioners be informed about high profile projects, like conditional uses, that are in the process of being heard by the Commission.

Commissioner Olague:

Re: Divisadero Formula Retail

- She is concerned that this case will not be heard by the Commission and wants to know how this happened?

Zoning Administrator responded:

- Staff has 90 days to review legislation and sometimes there is a lot of "back and forth" going on between staff, the City Attorney and the Board of Supervisors to try and understand it or to try and refine it.
- Because of all this, staff ran close to the 90 days.

C. DIRECTOR'S REPORT

9. Director's Announcements

Interim Director Macris reported:

Re: Home Depot

- This project is moving right along.
- In the month of July it will be presented before the Commission.
- There is still some work to be done on the environmental side.

Re: Rincon Hill

- The first major Rincon Hill project will go before the Commission in July based on the notion that the Board of Supervisors will act in July as well.

Re: Trinity Plaza

- Progress is being made on this project also.
- There are negotiations going on at the Board of Supervisors level.

- This project will probably come before the Commission in the Fall.

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS –

Amit Ghosh reported:

Re: Bicycle Plan

- This was delayed because of an appeal.
- Last week the Land Use Committee unanimously approved the plan.
- The BOS last Tuesday had it's first reading.

Re: The Visitation Valley

- The Visitation Valley Strategic Concept Plan for the Schlage Lock site and it's integration into the community. It was completed a few years ago with the help of the community and other agencies. There was a delay waiting for private interest in actually developing the site.
- Since the site is a toxic site and there are many public improvements to be done, it was felt that the tools of the Redevelopment Agency would be able to bring about the improvements more efficiently and expeditiously.
- At the Land Use Committee they unanimously approved the introduction of a survey area for that plan. So the concept plan can be implemented.

Zoning Administrator reported:

Re: Massage Establishments

- Supervisor Ma's legislation was also heard at the Land Use Committee.

BOA – None

Zoning Administrator responded to Commissioner W. Lee:

Re: 724 Van Ness Avenue

- The BOA upheld his determination that the inclusionary units needed to be rental but that the market rate units did not need to be rental.
- The BOA has a formal rehearing process.
- Mr. Sanger mentioned to him that he was going to request a formal rehearing.

Commissioner Bradford Bell:

Re: Home Depot

- She was under the impression that there was information that Home Depot was not providing to staff even though they had requested it, that the economic study was not provided either which was also requested by staff (apparently staff has gone out and found a firm that will do this) and finally that staff and Home Depot met with the Mayor's Office and Home Depot still was not sure what they wanted.

City Attorney Kate Stacey:

- She recommends that Home Depot be scheduled next week to discuss it further.

11.

(A. JOHN-BAPTISTE: (415) 558-6547)

UPDATE OF THE DEPARTMENT'S BUDGET

- The mayor is submitting his budget to the Board of Supervisors on Wednesday of next week, so there will be a update next Thursday.
- In February, there will be about 19 positions filled throughout the department. The majority of those being Planning positions.
- As of today, there has been 11 positions filled, six of which were actually internal promotions, and five coming in from the outside.

- There has been three planner II positions, 7 planner III positions and one accounting position so there this leaves a goal of hiring 17 positions more.
- The department is making reasonable progress and would expect to have at least the vast majority of the process completed towards the end of this summer, early fall.

Re: SF STAT

- This information was given to the Mayor's office and other agencies in April.
- She will excerpt the information since the complete presentation is about 45 minutes.
- The current workload is similar to last fiscal year. There is a larger portion of cases compared to permit applications.
- More staff has been placed to process cases.
- The case volume has increased about 33 percent.
- There has been an increase in the backlog through all type of cases. A backlog is a case that has not been process in the amount of time targeted.
- One of the most significant factors is that at the beginning of the year there were about 1,000 cases in backlog. The ability to get out of the backlog is impacted.
- Although some of the numbers are overstated (about 15 percent) is related to the tracking system.
- There are efforts to clean up the tracking system in order to get more accurate numbers.
- Regarding timeliness, staff has had a hard time to meet the time requireemnts.
- Brining in more staff will still affect meeting the time requirements of this backlog so meeting the target will still be difficult.
- Timeliness of permit processing is better because there are many cases that are done administratively.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Jeremy Paul

Re: Scraphouse Exhibition

- There is a scrap house being built which is a very innovative design only using scrap materials.
- This will be open to the public starting June 2, 2005.
- On behalf of the Scrap Advisory Board he extend the invitation to the Commissioners and the public.

E. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

F. CONSIDERATION OF FINDINGS AND FINAL ACTION – PUBLIC HEARING CLOSED

12. 2005.0212T

(P. LORD: (415) 558-6311)

DIVISADERO STREET FORMULA RETAIL CONTROLS – Consideration of an Ordinance amending San Francisco Planning Code by amending Section 703.3 to designate formula retail uses as a conditional use in the NC-2 (Small-Scale Neighborhood Commercial) District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approval with modifications

NOTE: On May 19, 2005, following public testimony the Commission closed the public hearing and entertained a motion to disapprove. The motion failed to carry by a vote of +2-2; Commissioners Olague and Sue Lee voted No; Commissioners Hughes and W. Lee were absent, and Commissioner Alexander was excused. A motion to approve failed to carry for lack of a second. The Commission then continued the matter to May 26, 2005 to allow the absent commissioners the opportunity to participate in any final action.

SPEAKER(S): None

ACTION: Not properly before the Commission

G. REGULAR CALENDAR

13. 2005.0219Z (P. LORD: (415) 558-6311)
ZONING MAP AMENDMENTS TO CHANGE THE HEIGHT AND BULK DESIGNATIONS FOR ASSESSOR'S BLOCK 0139, 0140, AND 0141 (BOUNDED BY BATTERY STREET, VALLEJO STREET, EMBARCADERO AND BROADWAY) - Consideration of an Ordinance amending San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0139 from 84-E to 40-X and to change the height and bulk designations of Assessor's Blocks 0140 and 0141 from 84-E to 65-X, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
 Preliminary Recommendation: Approval with Modifications
 (Continued from Regular Meeting of May 12, 2005)

SPEAKER(S):

(+) **Supervisor Aaron Peskin**

- This is not unlike the legislation a few weeks ago on Broadway.
- It is very similar to the reason he initiated that first legislation.
- This is a remnant of historical zoning because of the freeway that had to be torn down a few years ago.
- With this new zoning future developments will be consistent with developments in the area.
- It also brings it to conformance with the Waterfront plan that is being proposed.
- (+) **Byron Rhett – Planning and Development Director for the Port of San Francisco**
- The port is a trustee for the state and manages this land trying to address the mission that was put to the port which is to develop uses for the property that address navigation, fisheries, maritime, natural preservation and public access.
- Hotels is one of the limited uses that this property could be put to that will attract people to the waterfront.
- A developer was searched to develop a hotel at this site. They chose Stanford Hospitality for this site.
- Hotel would be a feasible use for the site.
- There will be a 255 unit hotel with a garage and open space, garden would be at the end of Davis and Vallejo Streets.
- The Commission has just reviewed the present design of the hotel.
- (+) **Lawrence Louie – President of Stanford Hospitality**
- They have been working on this project for about five to six years.

- The project has been revised many times.
- They have met with several government agencies.
- They have heard from the neighbors and have made the appropriate revisions to the project to deal with the issues they mentioned.
- The project will benefit the City and the create jobs.
- He hopes that the Commission will support a 65 foot hotel.

(-) Mark Hornberger – Project Architect

- He also supports 65 feet for this site.
- He displayed diagrams of the buildings in the area as well as images of how the hotel will look like.

- The project is not a high-rise building and will not be out-of-scale.

(-) Teresa Ray – Principal in Planning Strategies for the Port of San Francisco

- This has been going on for more than five years.
- The hotel will be elegant, welcoming and sits comfortable in it's context.
- Even the condominiums across the street are taller that what this building would be.
- The hotel project came out of the seven year dialogue to get the waterfront plan approved.
- There will also be a lot of streetscape improvements.

(+) Diana Taylor – Waterfront Action Group

- They support the rezoning ordinance without modifications.
- There are only two buildings higher than 40 feet in the area.
- The San Francisco General Plan requires new development to maintain shorter structures near the bay.
- The rezoning of the area would preclude development.

(+) Jonathan Middlebrook

- This whole discussion is being caused by a particular project yet the topic here is rezoning in a historic district.
- Block 139 is the piece of land that directly abuts the Embarcadero.
- This legislation would allow for consistent development in a historic district.

(+) Glen Green

- He lives in the neighborhood.
- What has been done in the past in not a significant reason to continue doing it.
- He urges the Commission to adopt the ordinance without modifications.

(+) Susan Gilbert

- She lives in the neighborhood.
- Broadway is a very attractive boulevard.
- The hotel will be the revitalization of this area.
- Not only should one consider the Embarcadero but also should consider Broadway.

(+) Peter Winklestein – SPUR (Urban Projects Committee)

- SPUR analyzed this project a few month's ago.
- They looked at a lot of aspects of the project.
- Any lower heights would make developments look "truncated".

(+) Marvin Kasof

- He is a resident of Telegraph Hill and a member of Renew SF.
- One of his member wrote a memo (which he read) that is in support of the rezoning without modifications.

(+) Ernestine Weiss

- She worked on the waterfront plan.
- A building at the corner of Broadway would destroys the views of the waterfront which is against the waterfront plan.
- It is important to keep with aesthetics.

(+) Joe Butler – Telegraph Hill Dwellers

- For about, the Telegraph Hill Dwellers has worked to create historic neighborhoods in the area, the waterfront being one of them.
- At the time it was created the embarcadero freeway made its way along and ended at Broadway right at the edge of the historic district.

- They support this legislation as it is written since it will restore the compatibility of a potential buildings on this site with the historic district, and amend the height limits for these three lots so that the original height limit which was set in response to a structure which is no longer there, thankfully, will not mar the historic district in the future.

(+) Frederick Allardyce – Waterfront Action Group

- He lives in the neighborhood.
- For many years the height limit has been 40 feet.
- When Stanford Hospitality won the bid, they know the height limit for the area.
- He supports the motion without modifications.

(+) Paul Wermer – Neighborhood Network

- He supports the proposal unmodified.
- He is concerned about the concept of a 50 foot height district. This sounds like target zoning.
- He is concerned about what the port has on record.

(-) Toby Levine – Chair of the Northeast Waterfront Advisory Committee

- They have been hearing about this project for many years.
- The committee has not been able to come to some consensus about height limits.
- The Stanford project has been under review for about five years. There has been many revisions done to the project.
- The 40 foot height limit causes problems since it would not be able to achieve the number of rooms that Stanford needs for the project.
- She feels that that Commission should reject the 40 height limit since it will not allow the plans for that corner.

(+) Alice Picuss – Pacific Heights Residents Association

- They support the rezoning to lower height limits to conform with the neighborhood and opposes the create of a 50 foot special zoning district.
- Lower heights create pedestrian friendly environments.

(-) James Fang – Asian Week Newspaper

- Lowering the height limit is not very fair.
- The revenue from this hotel would help San Francisco's economy.

(+) Giana Miniace

- She lives in the neighborhood.
- Many people have strong ties to the area and they have deserved the right to express their opinions.
- It would not be fair to "change the rules of the game".

(-) Ezio Rastelli

- He owns property in the area.
- He does not support the legislation since he feels it would not be fair to the hotel.

(+) Erin Gruz – Preservation Advocate for the San Francisco Architectural Heritage

- They support the zoning amendments.
- The current height and bulk limit threaten the small scale of the district.
- She urges the Commission to approve this ordinance.

(+) Jay Folberg – Member of the Waterfront Action Group

- He lives in the area.
- In the historic district there are 40 feet height buildings consistently.
- For six years many people have participated in a study and when the Request for Proposal went out it specifically stated 40 feet height limit.
- The residents would like the proposed hotel to mirror the other buildings in the area.

(+) Jane Winslow

- She submitted some letters for the record.
- The zoning north of the hotel project allows for 65 feet limit.
- There is no requirement for a maximum of 4 stories or 40 feet in the northeast waterfront historic district.
- It is unfair to change the rules.
- She urged the Commission to push for 65 feet height limit.

(+) Arthur Samuelson

- He lives in the area.
- He supports the amendments without modifications.
- Whatever is built, is going to be there for a very long time.

(+) Arthur Chang

- He has been involved in this case for about six years.
- He urged the Commission to uphold the law, mainly the General Plan.
- The Commission has an obligation to uphold the law.

(+) Sue Hestor

- The building has been redesigned because of three people who had good intentions.
- If there is a policy of 40 feet height limit, it should be respected.

ACTION: Adopted with the following modifications: Page 1 of Resolution add the following paragraph: An Addendum to the Port of San Francisco Waterfront Land Use Plan EIR was prepared May 18, 2005, pursuant to CEQA Guidelines 15162 and 15164, and is incorporated herein by this reference.
and
Delete the following sentence on Page 2 of Resolution, last paragraph: The Planning Department staff further recommends approval of the draft ordinance changes for Assessor's Blocks 0140 and 0141 from 84-E to 65-X.
and
Page 2 of Resolution, paragraph 3 the 84-X should be changed to 84-E.
AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee
NAYES: Olague
RESOLUTION: 17024

14. 2004.1338C (S. VELLVE: (415) 558-6263)
2231 PINE STREET - south side between Fillmore and Webster Streets; Lot 031 in Assessor's Block 0660 - **Request for Conditional Use** authorization pursuant to Section 209.2(d) of the Planning Code to legalize the establishment of a bed and breakfast inn with three guestrooms (Artists' Inn) within an RH-2 (House, Two-Family) District and 40-X Height and Bulk District. The bed and breakfast inn has been in operation for approximately six years, and expansion of the structures is not proposed.
Preliminary recommendation: Approval with Conditions.

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17025

15. 2004.0055R (J. SWITZKY: (415) 575-6815)
AMENDMENTS TO THE TRANSBAY REDEVELOPMENT PLAN (GENERAL PLAN REFERRAL) - The Planning Commission adopted General Plan conformity findings for the Transbay Redevelopment Plan on December 9, 2004. However the Redevelopment Agency has proposed amendments to the Transbay Redevelopment Plan resulting from Board of Supervisors input on the Plan, **requiring new General Plan conformity findings, pursuant to Section 4.105 of the City Charter and Section 2A.53 of the San Francisco Administrative Code.**
Preliminary Recommendation: Approve the Draft Motion finding the proposed amendments to the Transbay Redevelopment Plan in conformity with the General Plan.
(Continued from Regular Meeting of May 19, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 2, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

16. 2004.0150C (G. NELSON: (415) 558-6257)
1450 LOMBARD STREET - north side between Van Ness Avenue and Franklin Street; Lot 029 in Assessor's Block 0498 - **Request for Conditional Use** authorization pursuant to Section 712.83 of the Planning Code to install five (5) cellular antennas on the roof of the "Travelodge" hotel, as part of Verizon's wireless telecommunications network, within the NC-3 (Moderate Scale Neighborhood Commercial) District and a 40-X Height and Bulk District. The proposed antennas would be mounted on two existing roof penthouses. The related equipment would be installed within the building and would not be visible from off-site. Per the City & County of San Francisco's Wireless Telecommunications Services (WTS) Facilities Siting Guidelines the project site is a Preferred Location Preference 4, as it is a commercial building in an NC-3 District. Preliminary Recommendation: Approval with Conditions.

SPEAKER(S):

(+) **James Singleton – Verizon Wireless**

- He is available for questions

ACTION: Approved

AYES: Alexander, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

EXCUSED: Antonini

MOTION: 17026

17. 2004.0560D (G. CABREROS: (415) 558-6169)
251 28TH AVENUE - west side between Lake and California Streets, Lot 005 in Assessor's Block 1388 - **Request for Discretionary Review** of Building Permit Application No. 2004.02.13.6414, proposing to construct a two-story rear addition to an existing two-story, single-family houses in an RH-1(Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve with modifications

(Continued from Regular Meeting of May 5, 2005)

NOTE: On May 19, 2005, the Commission held a public hearing, took public testimony, closed the public hearing, and passed a motion to take discretionary review and approve the project with amendments. During Public Comment at the end of the May 19, 2005 calendar, new information was introduced to the Commission regarding this case. The Commission President instructed that this item be calendared on May 26, 2005, for possible reconsideration.

SPEAKE(S):

Re: Continuation

Joe O'Donaghue

- He agrees with the continuance.

ACTION: Without hearing, item continued to June 2, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

19. 2004.0909D (M. SNYDER: (415) 575-6891)
153 PRENTISS STREET - east side between Powhattan Avenue and 22nd Street, lot 032 in Assessor's Block 5654 - **Request for Discretionary Review** of Building Permit Application No. 2004.05.21.4489 proposing to construct a rear and north side vertical and

horizontal addition. The property is within an RH-1 (House, One-Family) District, the Bernal Heights Special Use District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take DR, to Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of March 24, 2005)

NOTE: On March 24, 2005, following public testimony and Commission deliberation, the matter was continued to May 26, 2005. The Commission instructed the project sponsor to revise the drawings and to continue working with the neighbors. The vote was +6 -0. Commissioner Alexander was absent.

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

20.

2004.1310DD

(G. NELSON: (415) 558-6257)

1260 FUNSTON AVENUE (AKA 1260 13TH AVENUE) - east side between Lincoln Way and Irving Street; Lot 031 in Assessor's Block 1738 - **Requests for Discretionary Review** of Building Permit Application No. 2004.09.27.5238 proposing to construct a three-story addition at the rear of a two-story single-family dwelling in an RH-2 (Residential, House, Two-Family) District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Continued from Regular Meeting of May 12, 2005)

SPEAKER(S):

(-) **John Malone – 1st Discretionary Review Requestor**

- He disapprove of the project since it will block sunlight to his property.
- This issue has been somewhat address since the Planner has requested revisions to the project sponsor.
- The other issue he has is about parking.
- The current owner has two groups of tenants and there are five cars associated with them.
- He hopes that in order to accommodate a place that has five bathrooms and you eliminate one, it would not be a problem.

(-) **Armand DiHumfo – 2nd Discretionary Review Requestor**

- He requested a side yard setback.
- When the plans were revised, this brought up a new issue.
- There is a security issue at his house so the side setback should go all the way down to the ground on his side of the property.
- He also has an issue with parking.
- If this issues are resolved the way they request, they will be happy to

(-) **Selina Wong**

- She lives in the neighborhood.
- She is also concerned about security.
- She hopes that the Commission will consider their concerns and modify the plans as they requested.

(-) **Jeff Wong**

- Communication has not gone the way it should, that is why they are here.
- It is difficult when there is a common wall.
- He echoes the concern about parking.

(+) **Spencer Luo – Representing Project Sponsor**

- The proposed construction has a three feet setback on the second level.
- He tried to compromise the neighbor's concerns.
- He will remove any illegal units downstairs.
- The new proposed addition is in compliance with the City codes.

ACTION: Take Discretionary Review and Disapprove Project (with the request to file notice of violation to the Department of Building Inspection).

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 21a. 2004.0094D (G. NELSON (415) 558-6257)
522 37TH AVENUE - east side between Geary Boulevard and Anza Street; lot 015 in Assessor's Block 1508 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2003.08.18.2334, proposing to demolish a three-story, two-family dwelling in the RH-2 (Residential, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal (2004.0095D, below) to construct a four-story, two-family dwelling with two off-street parking spaces.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S):

(+) **Kung Kay Chiu**

- They filed this application for demolition a few years ago.

- He is available for questions.

- If there are questions on soundness, Mr. Pat Buscovich is here.

ACTION: Do not take Discretionary Review and Approve Demolition

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

- 21b. 2004.0095D (G. NELSON: (415) 558-6257)
522 37TH AVENUE - east side between Geary Boulevard and Anza Street; lot 015 in Assessor's Block 1508 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2003.08.18.2331, proposing to construct a four-story, two-family structure with two off-street parking spaces in the RH-2 (Residential, Two-Family) District and a 40-X Height and Bulk District. There is a related proposal (2004.0094D, above) to demolish the existing three-story, two-family dwelling.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project.

SPEAKER(S): See Speakers for item 21a.

ACTION: Do not take Discretionary Review and approve new construction (direct Project Sponsor to continue to work with staff to develop an exterior trim schedule that is consistent with the character of the neighborhood; solid to void ratio and the pattern of bay windows should also be analyzed)

AYES: Alexander, Hughes, S. Lee, W. Lee, Olague

NAYES: Antonini and Bradford Bell

22. 2004.1161D (K. MCGEE: (415) 558-6367)
1060 GILMAN AVENUE - north side between Hawes and Griffith Streets; Lot 014 in Assessor's Block 4937 - **Request for Discretionary Review** of Permit Application No. 2004.03.03.7628, proposing to construct a three-story single-family dwelling on the existing vacant lot. The subject property is located in a RH-1 (Residential, House, Single-Family) and in a 40-X Height and Bulk District.
 Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.
 (Continued from Regular Meeting of May 12, 2005)

SPEAKER(S):

Re: *Continuances*

Sue Hestor – Representing Discretionary Review Requestor

- He is fine with the date of continuance.

Alan Lo – Representing Project Sponsor

- There are still some issues to take care of so he recommends to continue the project to June 30, 2005.

ACTION: Without hearing, item continued to July 7, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

23. 2005.0296D (D. DIBARTOLO: (415) 558-6291)
333 GREENWICH STREET - south side between Telegraph Hill Blvd. and Montgomery Street; Lot 010, Assessor's Block 0086 - **Mandatory Discretionary Review**, under the Planning Commission's policy on dwelling unit mergers, of Building Permit Application No. 2005.03.01.6477. The project would merge two dwelling units on the third floor of the structure to reduce the total number of dwellings in the building from six to five. The subject property is within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Take Discretionary Review and disapprove the application.

SPEAKER(S):**(+) John Ritt – Project Sponsor**

- He is a designer.

- He received a lot of information when he purchased his property since he wanted to comply with all the rules.

- He has letters from neighbors who are in support of the merger.

- He did an Ellis Act so there will not be any loss of housing.

(+) Gary Bell

- One of the reasons for the merger is to bring the property more in conformance with the neighborhood.

- The removing one unit will benefit the neighborhood by removing one or more cars and not impact traffic and parking.

(+) Lillian M. Ritt

- Her son is very fair.

- Allowing the merger would make the unit more livable.

- She hopes that the Commission will approve this merger.

ACTION: Take Discretionary Review and Disapprove Merger

AYES: Alexander, Bradford Bell, Hughes, S. Lee, Olague

NAYES: Antonini

ABSENT: W. Lee

24. 2004.1132DV (J. PURVIS: (415) 558-6354)
3288 FOLSOM STREET - west side of Folsom Street north of Stoneman Street; Lot 021 in Assessor's Block 5523 - **Request for Discretionary Review** of Building Permit Application No. 2004.04.27.2405, proposing to construct a new second-story family room above an existing one-story-over-garage single-family dwelling, projecting 12 feet into the rear yard and without providing additional off-street parking, subject to rear yard and off-street parking variances, in an RH-2 (Residential, House, Two-Family) Use District, a 40-X Height and Bulk District, and within the Bernal Heights Special Use District.
Preliminary Recommendation: Take Discretionary Review and approve the project with revisions.

SPEAKER(S):**(-) Tamara Foster – Discretionary Review Requestor**

- She is concerned about the new construction since it will block the light to her property.
- She is also concerned about the process of this project since she had little time to review the material.

- A reduction of the size is what she asks for.

- She submitted plans with some modifications which would reduce the impact on the surrounding neighbors.

(-) Dennis Davenport

- He is opposed to the granting of the rear yard Variance since it is a bit excessive.

(-) Mat Zwerling

- The neighbors are asking for two Variances, one for parking and one to extend 12 feet beyond code into the backyard.
- The project sponsor does not show proof for any justification for these Variances.

(-) Jefferey Kilik

- Parking is a very bad situation in the area.
- The parking on the streets around the neighborhood are already quite complicated.
- There are many houses that don't have garages.
- He does not believe that a Variance should be granted for parking.
- There is a very beautiful garden that will not receive sunlight if this project is approved.

(-) Mellisa Peabody

- She submitted a letter from a neighbor who is opposed to the project.

(-) Thomas Harding

- The proposed addition will impact the light and air on their garden.
- He does not support the proposed construction because of these reasons.
- The whole process of Variances has been very difficult for him and his wife.

(+) Mark Buccarelli – Project Architect

- The project is willing to make reductions to the addition.
- The project sponsor was in an automobile accident and needs space for rehabilitation equipment for her lower back.

(+) Boaz Mariles – Project Sponsor

- The garage can technically have three cars.
- He hopes that the Commission will approve the project so that his mother will have enough space to put the rehabilitation equipment she requires.

ACTION: Take Discretionary Review and make the following modifications: The proposed addition should be reduced such that no portion of the addition, including roof overhangs, extend into the required rear yard area, except for stairs and landings leading to the ground. Further, the sizes of the addition should be reduced such that the total usable floor area of the dwelling is not more than 2,250 square feet, resulting in an off-street parking requirement of no more than two spaces, which the garage can accommodate in tandem.

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

NAYES: Bradford Bell

25. 2004.1132DV (J. PURVIS: (415) 558-6354)
3288 FOLSOM STREET - west side of Folsom Street north of Stoneman Street; Lot 021 in Assessor's Block 5523 - **Request for rear yard and off-street parking** variances to construct a new second-story family room above an existing one-story-over-garage single-family dwelling, projecting 12 feet into the rear yard and without providing additional off-street parking. The new floor would be set back 12.5 feet from the front property line and would include a new roof deck at the rear with new stairs and landings projecting twelve feet into the required rear yard. The site is in an RH-2 (Residential, House, Two-Family) Use District, a 40-X Height and Bulk District, and within the Bernal Heights Special Use District.

SPEAKER(S): See Speakers for item 24.

ACTION: Zoning Administrator Closed the Public Hearing and 1) Denied the Variance for the rear yard except for a stair to lead to the third floor design with the minimal amount necessary and the maximum amount of open railings, etc. 2) Variance to allow second parking space to be tandem and second floor addition be no larger than the maximum allowed for two parking spaces.

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 8:05 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 23, 2005.

SPEAKERS: None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 2, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

JUN 27 2005

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COMMISSIONERS PRESENT: Dwight Alexander, Michael J. Antonini, Shelley Bradford Bell, Sue Lee, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: Kevin Hughes

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:35 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning; Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City Attorney; Craig Nikitas; Glenn Cabrerros; Winslow Hastie; Matt Snyder; David Alumbaugh; Dan Dibartolo; Ben Fu; Linda Avery – Commission Secretary

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

- 1a. 2004.0032D (J. PURVIS: (415) 558-6354)
43 HAMILTON STREET - east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2002.10.17.9296 proposing the demolition of a one-story, single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to June 9, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 9, 2005

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague

ABSENT: Hughes

- 1b. 2004.0033D (J. PURVIS: (415) 558-6354)
43 HAMILTON STREET - east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all replacement structures following residential demolition, of Building Permit Application No. 2002.10.17.9298 proposing the construction of a two-story single-family

dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to June 9, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 9, 2005

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague

ABSENT: Hughes

- 2a. 2002.0805RTZ (M. FOSTER (415) 558-6362)
MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider proposed amendments to the Mid-Market Preliminary Plan, **Adopting Amendments to the Mid-Market Preliminary Plan, and Making CEQA findings and findings of General Plan Conformity** related to the Mid-Market Redevelopment Plan as amended.
 Preliminary Recommendation: Adopt Amendments to the Mid-Market Preliminary Plan and make CEQA findings and findings of Conformity of the Mid-Market Redevelopment Plan, as amended, with the General Plan
 (Continued from Regular Meeting of May 19, 2005)
(Proposed for Continuance to June 9, 2005) June 23, 2005

SPEAKER(S): None

ACTION: Without hearing, item continued to June 23, 2005

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague

ABSENT: Hughes

- 2b. 2002.0805RTZ (M. FOSTER (415) 558-6362)
MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider a resolution to **Approve Proposed Amendments to the Planning Code** (Adding Section 249.27 and 263.18, and amending Sections 102.9, 123, 145.4, 153, 155.5, 166, 167, 204.3, and 309). Proposed amendments will establish the Mid-Market Special Use District and make related text and changes to the Planning Code pursuant to the proposed Mid-Market Redevelopment Plan and Special Use District.
 Preliminary Recommendation: Approve Draft Resolution
(Proposed for Continuance to June 9, 2005) June 23, 2005

SPEAKER(S): None

ACTION: Without hearing, item continued to June 23, 2005

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague
 ABSENT: Hughes

- 2c. 2002.0805RTZ (M. FOSTER (415) 558-6362)
MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider a resolution to **Approve Proposed Amendments to the Zoning Map** (Amending Maps 1SU, 2SU, 7, and 7SU). Proposed amendments will establish the Mid-Market Special Use District, and reclassify several parcels from C-M, C-3-S and SLR to C-3-G pursuant to the proposed Mid-Market Redevelopment Plan and Special Use District.
(Proposed for Continuance to June 9, 2005) June 23, 2005

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 23, 2005
 AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague
 ABSENT: Hughes

3. 2003.1210C (M. SNYDER: (415) 575-6891)
5600 THIRD STREET - the block bounded by Third Street, Bancroft Avenue, Mendell Street, and Armstrong Avenue, Lot 3, 5, 6, 7, 8, 9, and 11 in Assessor's Block 5421. **Request for Conditional Use** authorization to allow residential dwelling units in an M-1 (Light Industrial) District pursuant to Planning Code Section 215, and to allow a Planned Unit Development pursuant to Planning Code Section 304, which would include exceptions to configuration of the rear yard (Planning Code Section 134), dwelling unit density (Planning Code Section 215), bay window obstructions (Planning Code Section 136(c)(3) and for parking (Planning Code Section 151). The Proposal includes demolishing the existing industrial structures on the lots and constructing a mixed-use development that would consist of three phases, and would include about 131 senior housing units, 129 other units, approximately 10,000 square feet of commercial space, and 161 off-street parking spaces. The project's buildings would generally be five-stories tall. The subject property is within an M-1 (Light Industrial) District, a Third Street Special Use District (lot 11 only), and a 65-B Height and Bulk District.
 Preliminary Recommendation: Pending
(Proposed for Continuance to June 23, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued to June 23, 2005
 AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague
 ABSENT: Hughes

4. 2004.0545DDDD (S. VELLVE: (415) 558-6263)
2707 LARKIN STREET - west side between Chestnut and Francisco Streets; Lot 003 in Assessor's Block 0477 - **Requests for Discretionary Review** of Building Permit Application No. 2003.06.22.7592 proposing to construct a one-story vertical addition above an existing three-story, single-family dwelling in an RH-2 (Residential, House, Two-Family) District and 40-X Height and Bulk District.
 Preliminary Recommendation: Pending
(Proposed for Continuance to July 28, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to July 28, 2005
AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague
ABSENT: Hughes

5. 2002.1263E (T. CHAN: (415) 558-5982)
333 FREMONT STREET - Certification of a Final Environmental Impact Report -
The proposed project is an 85-foot-tall, eight-story, residential building of approximately 131,340 gross square feet (gsf) consisting of 88 dwelling units and about 88 underground parking spaces. Two existing two-story buildings on the site, which total approximately 30,417 square feet, would be demolished. The 329-333 Fremont Street building, constructed in approximately 1930, contains a basement level, which is accessible from a driveway on Zeno Place. The smaller, 347-349 Fremont Street Edwin W. Tucker & Co. building constructed in 1913 is a rated historic structure on the California Register of Historic Resources. The project site is located about mid-block on the eastern side of Fremont Street in the block bounded by Folsom, Fremont, Harrison, and Beale Streets. Vehicular access to the parking garage would be from Fremont Street on the northern side of the building. Pedestrian access would be from the south side of the building from a courtyard facing Fremont Street. The site is within the RC-4 (Residential/Commercial High-Density) zoning district, and a 200-R height/bulk district. This site is within the newly adopted Rincon Hill Downtown Residential (DTR) District and is awaiting final adoption by the Board of Supervisors. Should the Board of Supervisors adopt the propose Rincon Hill DTR, the proposed project would be in the new 85/250-R height and bulk district. Preliminary Recommendation: Certify the Final Environmental Impact Report.
NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 14, 2004. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.
(Proposed for Continuance to June 16, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to June 16, 2005
AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague
ABSENT: Hughes

6. 2002.1263C (M. SNYDER: (415) 575-6891)
329-349 FREMONT STREET - east side between Folsom Street and Harrison Street, Lot 019 in Assessor's Block 3747 - Request for Conditional Use authorization to allow the construction of a building over 40-feet in an R District (Planning Code Section 253) and to allow full lot coverage on a sloping lot in the Rincon Hill Special Use District (Planning Code Section 249.1(b)(1)(B). The subject property is within an RC-4 (Residential-Commercial Combine, High Density) District, a Rincon Hill Residential Special Use Sub-district, and a 200-R Height and Bulk District.
Preliminary Recommendation: Pending
(Proposed for Continuance to June 16, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued to June 16, 2005
AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague
ABSENT: Hughes

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption:

- Draft Minutes of Special Meeting of May 5, 2005

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee

EXCUSED: Olague

ABSENT: Hughes

- Draft Minutes of Regular Meeting of May 5, 2005

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague

ABSENT: Hughes

8. Commission Comments/Questions

Commissioner Antonini:*Re: Editorial of the San Francisco Examiner: Clear S.F.'s Planning Logjam (Monday, May 30, 2005)*

- He thought this was a very good article.

- He realizes that a lot of the problems have been lack of staff, Discretionary Reviews, appeals, etc.

- The public has the right to be completely informed and sometimes there are problems with this, and this causes delays as well.

- He is glad that with the hiring of new staff many of the issues that cause delays will be dealt with.

Interim Director Macris responded:

- There will be a presentation on this today.

Commissioner Bradford Bell:*Re: Kevin Hughes*

- She wished him a Happy Birthday!

Commissioner Olague:*Re: Green Building*

- She requested a presentation on Green Buildings.

Interim Director Macris responded:

- They are working on setting up a presentation on this issue in the near future.

Commissioner Olague:*Re: rental vs. for sale*

- In the conditions of approval is it possible to request rental vs for sale?

Re: market rate units

- She wants a breakdown to AMI in relation to professions that correspond to the 60 percent income levels that relate to below market rate units.

Commissioner W. Lee:*Re: Future of Planning in San Francisco*

- How are illegal units going to be handled?

- He would like an informational presentation on this.

Re: Amy Lee and Department of Building Inspection

- How can Planning be more connected and work together with DBI?
- Is there a way to use DPW Street Use and Maps with DBI and Planning?
- He would like to have an informational predestination on this.

Zoning Administrator responded:

- They have been working on this by trying to schedule some meetings.
- He will follow up on this and try to take the lead.

Interim Director Macris responded:

- Staff is working with DBI on joining the computer systems.
- Staff is also working on a fee analysis.
- Staff is trying to secure money to develop a process for how business is done; perhaps having an outside consultant to help out.

Commissioner Bradford Bell:

Re: Condo Conversions

- She has been hearing a lot on condo conversions.
- She wants to know what the impact is on the affordable units for the buildings at Rincon Hill.

C. DIRECTOR'S REPORT

9. Director's Announcements
None
10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals
BOS – None

BOA

Re: 724 Van Ness Avenue

- There was a request for rehearing.
- This was heard because Mr. Sanger presented new information.
- The Board did not find the new information of substance.
- Mr. Marsteller noted that the building had been demolished.
- He has not had any contact with the project sponsor.
- He will continue to research the status of the demolition.

Re: Charges

- DBI charges up to 9 times the permit fee when someone does work and has not taken out a permit. They charge up to 2 times the permit fee if someone has taken out a permit and exceeds the scope of the permit.
- He realizes that the Commission has expressed concern about this.
- The 9 times the permit fee is appealable to the Board of Appeals.

Re: Joint Hearing

- The members of the Board of Appeals are looking forward to the meeting.
- A packet of information will be sent to the Commission in the near future.

11. (A. JOHN-BAPTISTE: (415) 558-6547)

UPDATE OF THE DEPARTMENT'S BUDGET

Alicia John-Baptiste reported:

- There were some questions at the last Commission hearing regarding the gender and ethnic diversity within the hiring program. There have been 11 hires: six were internal promotions and five were hired from outside. Of the five that were hired outside: three

women and two men, one was Asian and four Caucasian. Of the six people promoted from within the department: two are women and four men, one Hispanic and five are Caucasian. Comparing this information to the demographics of the applicant pool: 64 percent of the applicants were men and 36 percent were women. This compares to a hiring rate of 45 percent women and 55 percent men. Seventy percent of the applicants were Caucasian, 22 percent were Asian and 3 percent each were African American, Hispanic and Native American. To date, the hiring has been 82 percent Caucasian, 9 percent Hispanic and 9 percent Asian. Any one change can have a significant change on the percentages.

Re: Budget

- On Tuesday, the Mayor submitted the budget to the Board of Supervisors.
- Related to the Planning Department, on the revenue side, significant changes include an increase to the department's fee revenues, a reduction to the general fund support to the department, and a reinstatement of a transfer from Building Inspection.
- The department's 18-month priorities continue to be funded but the mix of funding has changed.
- In March the department's fee revenues were proposed at 12.3 million dollars, this was increased in June to 13.2 million dollars. There are two reasons for this: the department in the initial budget proposal, had not annualized the impact of the fee changes; there is an assumption that a fee schedule will be adopted.
- There is a reintroduction of a transfer from the Department of Building Inspection that the Mayor proposed. This is reflective of the relationship between long range planning activities and the Department of Building Inspection's building permit activity.
- On the General Fund side: there is a reduction of 2.4 million dollars, which is offset by the increase in the fee revenue as well as from the transfer of funds from DBI.
- Regarding the Grants and Recoveries: there is a \$200,000 increase because of a project that will be done with the Redevelopment Department.
- There was a reduction of close to \$200,000 in salaries between March and June. This was a result of the reduction in the number of new positions that the department is proposing for next fiscal year.
- One of the vacancies is currently unfunded in Long Range Planning. At the mayor's request, in part to reduce the General Fund support, the department adjusted that request down so that instead of four new positions and rather than having those start October 1, they will be starting January 1 and not requesting funding for the current vacancy in Long Range Planning. As a result, five positions the department had initially allocated (three to Neighborhood Planning and two to Environmental Review) the department would still maintain two in environmental review, but would only have 2 additional positions in Neighborhood Planning.
- If one looks at fringe benefits, while salaries declined, fringe benefits increased. The city undertook this year different methodologies of defining central cost.
- Under the new methodology that was developed this year, the Planning Department develops costs for retiree health care.

Re: Priorities

- The budget as approved on March 3 contained about \$1.3 million to fund these priorities and that included additional staffing, funding professional services and the budget.
- If one looks at the proposed budget as it stands today, the budget still allocates close to \$1.3 million to fund these same 9 priorities, overall reduction of about \$30,000 in total funding, which is consistent with the reduction in our overall budget.
- There is a 3-month delay for implementing the reduction in backlog in environmental review.
- In neighborhood review, given the priority of other backlogs, the department would not be able to add additional staff to that area under the budget as it stands today. So other than the reduction in staff, there is a shift in funding for the undertaking projects category which again is reflective of the decrease in funding.

- The next step will be to present the budget at the Board of Supervisors' Budget and Finance Committee. Staff is scheduled to be there on June 20 and again on June 27.
- There will be another discussion on the budget before the Commission on June 16 with sort of a first group of proposed changes to the fee schedule and half of those, or one portion of those, are sort of clean-up items that need to be addressed.
- There is some legislation being initiated by Supervisor Peskin and it will be a request to implement a surcharge to cover the Board of Supervisors' cost in hearing appeals.
- This would be a fee that the Planning Department would collect and pass on to the Board of Supervisors to cover their costs.

Commissioner Antonini:

- San Francisco is one of two counties in California that has the discretionary review process as part of the planning process.
- He wants to know if there are other counties that have mandatory discretionary reviews, demolitions and unit merger [policies]?
- Is this a policy somewhere else? Because there is a lot of staff time, as was mentioned by President Lee, which goes into this without a fee attached to it because it's city-initiated?

Interim Director Macris responded:

- Staff will look into that.
- A survey has not been done of other cities, but staff can try and get some information on that.

Commissioner Antonini:

- This would be very helpful. It would be nice to see what's done in other locations as the department and the Commission looks ahead to future policy changes.

Commissioner Alexander:

- He would like to receive a copy of the letter that was received from the State regarding not being in compliance with the General Plan requirements of the state.

Interim Director Macris responded:

- He will get this information for him.

12. Status of Home Depot Project
- There will be a hearing on this case on July 28, 2005.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Eileen Boken

Re: 1234 19th Avenue

- She thanked the Commission for directing the Zoning Administrator to request a rehearing of this project at the Board of Appeals.

Brett Gladstone

Re: 1122 Green Street

- He requested that this case be postponed to June 23, 2005.

Tim Tosta – Steefel, Levitt and Weiss*Re: Transbay Redevelopment Plan*

- He has concerns about this project.

Commissioner Sue Lee:

- She directed Mr. Tosta to address the Commission during the call of the item.

Jim Haas - Rincon Point South Beach Citizen's Advisory Committee*Re: Adequacy of Affordable Housing at Rincon Hill*

- He knows that there is concern among the public about the adequacy of affordable housing in the proposed Rincon Hill rezoning district.
- There is a tendency to focus everything on the districts that are created, whether Redevelopment or Planning, and not look at what's happening across the street.
- In South Beach, at the proposed cruise terminal, there is a big triangular block behind it. That triangular block currently has a condominium project under construction. The rest of it is parking but it has been designated for affordable housing.
- To make that happen, the port has to undertake some planning. There is need for State legislation--because there is some trust land--and then find a for-profit or nonprofit developer.
- As many as 200 units of affordable housing could be put on that site.
- He is bringing this to the Commission's attention.

John Bardis*Re: 1122 Green Street*

- There has been work done illegally at this site.
- There is a hearing on Discretionary Review but it was continued to June 9 and then to June 16.
- The people involved were not even consulted.
- It is important for the people involved to sit and find a mutual agreed upon date.

E. ~~PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED~~

~~At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.~~

None

F. ~~CONSENT CALENDAR~~

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

- 2005.0443U (K. AMDUR: (415) 558-6351)
829 MISSION STREET - south side between 4th and 5th Streets, Lot 067 in Assessor's Block 3724 - **Request for Sign Approval** pursuant to sign permit applications Nos. 2005.04.07.9458 and 2005.04.07.9463, to erect business signs on the ground floor of the Mission Street facade of the 5th and Mission City-owned parking garage. The proposal is to install one illuminated wall sign and two non-illuminated blade signs for the retail tenant dba "Cafe Infusion." Planning Code Section 605 requires that all applications for permits to erect business signs in P Districts shall be submitted to the City Planning Commission

for approval or disapproval. The property is located in a P (Public) District and a 90-X/340-I Height and Bulk District.

Preliminary Recommendation: Approval

SPEAKER(S): None

ACTION: Approved

AYES: Antonini, Bradford Bell, S. Lee, W. Lee, Olague

ABSENT: Alexander and Hughes

MOTION: 17027

G. REGULAR CALENDAR

14. 2004.0560D (G. CABREROS: (415) 558-6169)
251 28TH AVENUE - west side between Lake and California Streets, Lot 005 in Assessor's Block 1388 - **Request for Discretionary Review** of Building Permit Application No. 2004.02.13.6414, proposing to construct a two-story rear addition to an existing two-story, single-family houses in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve with modifications

(Continued from Regular Meeting of May 5, 2005)

NOTE: On May 19, 2005, the Commission held a public hearing, took public testimony, closed the public hearing, and passed a motion to take discretionary review and approve the project with amendments. During Public Comment at the end of the May 19, 2005 calendar, new information was introduced to the Commission regarding this case. The Commission President instructed that this item be calendared on May 26, 2005, for possible reconsideration.

NOTE: On May 26, 2005, without a hearing the matter was continued to June 2, 2005.

SPEAKER(S):

Re: Rehearing of Project

Kenneth Lipson – Project Sponsor

- There was a lot of improper information presented at the previous hearing.
- The DR requestor requested a continuance and they agreed to it.
- It has been a long time to trying to get this hearing done.

Joe O'Donaghue

- Commissioner Hughes made a motion a few weeks ago based on what was told to him about what the neighbors' measurements were.
- After the motion was heard and the case closed, he (Joe) went to the property and came back in with the correct measurements before the conclusion of the evening.
- In conjunction with Robert's Rules of Procedure, they brought up the issue that a misstatement of fact or a misunderstanding had been made. Commissioner Hughes, knowing what the intention of the motion was, requested a rehearing.
- So since Commissioner Hughes is not present at today's hearing, they would like to request, in the interest of fairness and the fact that Commissioner Hughes himself has actually talked to some Commissioners, that a continuance of one week be allowed.
- The information should be limited just to the issues and not to the entire project so that things move forward.

Ron Miguel

- He would like to see Commissioner Hughes here.
- He would like to have the Commission review the hearing of May 19 again.
- He also would like to see the parties come together and decide what the correct measurements are.

Mark English

- He is very clear on what he said at the previous hearing.
- This has been a 15 month process with all parties involved.
- He agrees with the approval and would like it to stay that way.

ACTION: The Commission rescinded their action from March 19, 2005.
AYES: Antonini, Bradford Bell, W. Lee, Olague
NAYES: Alexander and S. Lee
ABSENT: Hughes

ACTION: Took Discretionary Review and approved the project with the following modifications:

- At the ground floor, allow an extension of approximately 9 feet from the existing rear wall to align with the rear wall of the DR requestor's one-story rear "pop-out" structure.
- Along the south wall at the level of the proposed ground floor, provide a 4-foot side setback.
- Along the south wall at the level of the proposed second floor, provide an additional 2-foot side setback to align with the existing side setback (approximately 6 feet from the side property line).
- The proposed north wall, at all levels, shall be setback 3 feet from the side property line.
- At the level of the proposed second floor, the rear wall shall be setback 3 feet from the rear wall of the ground floor. A bay window along the rear wall of the second floor may be proposed. A deck may also be proposed provided all railings are open.
- Relocate the rear stairs along the southern side property line.
- Reduce the existing 11-foot tall wall along the northern side property line to 6 feet high above grade.

AYES: Antonini, Bradford Bell, W. Lee, Olague
NAYES: Alexander and S. Lee
ABSENT: Hughes

15. 2004.0346DDD (G. CABREROS: (415) 558-6169)
245 - 23RD AVENUE - west side between California and Clement Streets, Lot 009 in Assessor's Block 1410 - **Requests for Discretionary Review** of Building Permit Application 2005.01.14.3280 to construct two additional stories and a rear horizontal addition to the existing two-story, two-unit building resulting in a four-story, two-unit building in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.
Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.
(Continued from Regular Meeting of May 19, 2005)

SPEAKER(S): None
ACTION: Discretionary Reviews Withdrawn

16. 2005.0284D (G. CABREROS: (415) 558-6169)
2430 BROADWAY - north side between Steiner and Pierce Streets, Lot 005 in Assessor's Block 0562 - **Request for Discretionary Review** of Building Permit Application No. 2002.08.06.3311, proposing to construct a rear horizontal addition including a new garage at the rear of a three-story, single-family dwelling in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve as submitted.

(Continued from Regular Meeting of May 19, 2005)

SPEAKER(S):

Re: Continuance

(-) Alen Low – Luce Forward – Representing Discretionary Review requestors

- After several weeks of negotiation, they have come to an agreement.
- He is requesting a continuance of this matter just to log all the settled issues.
- This would bring a conclusion to the matter.

(+) C.J. Higley – Reuben and Junius - Representing Project Sponsor

- They do not agree to the continuance. There are other issues to deal with.

Re: Merits of Project

(-) Allan Low – Luce Forward – Representing Discretionary Review Requestors

- He requested that Discretionary Review be taken and request a six foot distance in order for both parties to get in and out of their garages.

(+) C.J. Higley – Reuben and Junius – Representing Project Sponsor

- The Discretionary Review requestor's whole argument is based on the fact that he has some legal right to use his client's property.
- The DR requestor can alter his project and solve his issue, instead of requesting his client (the project sponsor) to revise his project.

(+) Dan Fibs – Project Architect

- He is available for questions.

(+) Pat Buskovitch – Project Engineer

- He feels that this is a frivolous DR and does not know why they are here.

ACTION: Did not take Discretionary Review and approved the project

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee

ABSENT: Hughes and Olague

17. 2004.0055R (J. SWITZKY: (415) 575-6815)
AMENDMENTS TO THE TRANSBAY REDEVELOPMENT PLAN (GENERAL PLAN REFERRAL) - The Planning Commission adopted General Plan conformity findings for the Transbay Redevelopment Plan on December 9, 2004. However the Redevelopment Agency has proposed amendments to the Transbay Redevelopment Plan resulting from Board of Supervisors input on the Plan, **requiring new General Plan conformity findings, pursuant to Section 4.105 of the City Charter and Section 2A.53 of the San Francisco Administrative Code.**

Preliminary Recommendation: Approve the Draft Motion finding the proposed amendments to the Transbay Redevelopment Plan in conformity with the General Plan.

(Continued from Regular Meeting of May 26, 2005)

SPEAKER(S):

(+) Tim Tosta

- The proposal is to allow the redevelopment plan to proceed in order to allow a tax increment. The city has taken the judge's order to the Court of Appeals.
- He agrees that the plan should proceed.

(+) Jim Haas – Transbay Citizen's Advisory Committee

- Their committee considered this matter.
- He does not see any reason why this project should not move forward.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague

ABSENT: Hughes
MOTION: 17028

18. 2004.0487C (W. HASTIE: (415) 558-6381)
179 SAN CARLOS STREET - east side, between 18th and 19th Streets, Lot 23 in Assessor's Block 3589 - **Request for Conditional Use** Authorization for the construction of a new three-unit building over 40 feet in height, per Code Section 253. The property is located within an RH-3 (House, Three-Family) District with a 50-X Height and Bulk limit. The proposal is to construct a new three-unit building on a vacant lot with three off-street parking spaces at the ground level.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of May 19, 2005)

SPEAKER(S):

(+) Rosa Marcana – Project Sponsor

- This project will provide housing in the Mission District.
- There will not be a negative impact to the neighborhood.
- The City needs more family dwellings.
- The proposed project is located close to 19th Street, which has three-story buildings.

(-) Mehmet Oz

- He lives next door.
- He hired an advisor to tell him what to do with this project.
- The advisor spoke to the project sponsor and looking at the plans, this project will make it the highest on that street.

(+) Martha Miranda

- The proposed building will not be the tallest on the block because there is a building being constructed right now that will be five stories.
- It is important to build housing.

ACTION: Approved as Amended: Language shall be amended as follows: ...shall include at least one, three bedroom unit.

AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee, Olague

ABSENT: Hughes

MOTION: 17029

19. 2004.1067C (M. SNYDER: (415) 575-6891)
33-35 MOSS STREET - east side between Howard Street and Folsom Street, Lot 67 in Assessor's Block 3731 - **Request for Conditional Use** authorization to allow the demolition of two dwelling units within the South of Market Base District under Planning Code Sections 813.13 and 803.5(b). The subject is within an RED (Residential Enclave) District, and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of May 12, 2005)

SPEAKER(S):

(+) Brett Gladstone

- The documentation for this project is accurate.
- This is a one-bedroom unit.
- The deceased owner had it for 33 years. The consultant stated that there is no purposeful damage. The only damage done has been by vandals.
- Neighbors would like this building demolished because they are tired of the vandalism.

(+) Pat Buscovich – Project Engineer

- He was involved in the building for a few years.

- The condition of the building is terrible but he did not include it in his report. He only included the condition of the foundation. The foundation is also in bad shape and needs to be replaced. It is on liquefiable soil.

- The building needs to be lifted and reveled.

(+) Jim Meko

- It should never be easy to demolish buildings in the South of Market.

- This area housed people who worked to build San Francisco.

- If the developer had gone in with a "broom and a shovel" the building would be in better shape.

- It is not good to demolish affordable housing.

ACTION: Approved with Amendments: add boilerplate language that building permits shall be obtained within a three year time line.

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

MOTION: 17030

- 20a. 2005.0105CV (D. DIBARTOLO: (415) 558-6291)
134 GOLDEN GATE AVENUE - north side between Leavenworth and Jones Streets; Lot 003 Assessor's Block 0344 - **Request for Conditional Use authorization** to legalize the conversion of the existing two-story over basement commercial structure for use by a nonprofit social service facility ("Hyde Street Community Services, Inc.") at all floor levels. The sponsor is a nonprofit agency holding contracts with the San Francisco Department of Public Health to provide daytime mental health services to an adult population. Conditional use authorization is required to permit a social services use at the second floor level, per Planning Code Section 209.3(d). No physical expansion of the building is proposed. The project is the subject of a concurrent Variance hearing. The site is in an RC-4 (Residential-Commercial Combined High-Density) District, the North of Market Residential Special Use District #1 and an 80-120-T Height and Bulk District.
 Preliminary Recommendation: Approval with Conditions
 (Continued from Regular Meeting of May 12, 2005)

SPEAKER(S):

(+) Amy Adamson – Project Sponsor

- She encouraged the Commission to approve this project.

- The neighbors strongly encourage this conditional use.

- This is an ideal location for this project because it is close to various social services agencies.

- The building is fully code compliant.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

MOTION: 17031

- 20b. 2005.0105CV (D. DIBARTOLO: (415) 558-6291)
134 GOLDEN GATE AVENUE - north side between Leavenworth and Jones Streets; Lot 003 Assessor's Block 0344 - **Request for a Variance** from off-street parking requirements for a project to legalize the conversion of an existing commercial structure to a nonprofit social service facility ("Hyde Street Community Services, Inc.") at all floor levels. The proposed uses would require a maximum of 85 off-street parking spaces, with a credited deficiency of thirteen, and a net requirement of 72 off-street spaces, where none are proposed. The project is the subject of a concurrent Conditional Use hearing. The site is in an RC-4 (Residential-Commercial Combined High-Density) District, the

North of Market Residential Special Use District #1 and an 80-120-T Height and Bulk District.

(Continued from Regular Meeting of May 12, 2005)

SPEAKER(S): See speakers for 20a.

ACTION: Zoning Administrator Closed the Public Hearing and Granted the Variance.

21. 2004.0076C (B. FU: (415) 558-6613)
1350 NATOMA STREET - west side, between 14th and 15th Streets, Lot 089 in Assessor's Block 3548 - **Request for Conditional Use** authorization pursuant to Planning Code Sections 215 and 303 to allow the construction of 8 residential dwelling units in a C-M (Heavy Commercial) District with a 50-X Height and Bulk Designation, and in a Housing/Mixed overlay as designated by Planning Commission Resolution No. 16727. The proposal is to demolish the existing industrial building and construct 8 dwelling units within a new four-story over ground floor parking garage building containing a total of 8 off-street parking spaces.

Preliminary Recommendation: Approve project with modifications and conditions.
 (Continued from Regular Meeting of May 19, 2005)

SPEAKER(S):

(+) David Silverman – Representing Project Sponsor

- There are various letters of support, which he submitted to the Commission.
- This is a small infill project so there is no affordable housing being lost.
- The project sponsor has had several meetings with the neighborhood association and has made revisions to comply with their concerns.
- Having a BMR unit would not be feasible because it is a small lot and there would not be parking available.
- The building is already built to the maximum envelope.

(-) Ciaran Scallan

- He is proud of his neighborhood so he objects to the height of the building.
- If this building is constructed, the historical significance of the area is destroyed.
- Many people are not here because they do not understand the process of objection.
- The neighborhood association should not speak for the entire neighborhood.
- He does not object to a new building but he does object to the height of the building.

(-) Maire Sheahan

- There is consensus that everyone wants a building there but the building is just too high.
- The building is going to be much higher than everything surrounding it.
- The height will also block light to her building.

(-) Eric Quesada – Mission Anti-Displacement Coalition

- This project does not meet the conditional use goals of the neighborhood.
- This is PDR space that is being lost.
- If this project gets transferred to housing, what benefits will there be for the community?
- This project does not meet their goals.
- This project should go back and have more community dialogue.

(-) Sue Hestor

- This area has a lot of jobs.
- This area needs to continue to have jobs.
- This project will not have family housing.
- This project is too high.

ACTION: Public Hearing Remains Open. Item continued to July 7, 2005 in order for Project Sponsor to continue to work with neighborhood groups.

AYES: Alexander, Antonini, Bradford Bell, S. Lee, Olague

ABSENT: Hughes and W. Lee

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: 7:07 p.m.

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, JUNE 23, 2005.

SPEAKERS: None
ACTION: Approved
AYES: Alexander, Antonini, Bradford Bell, S. Lee, W. Lee
EXCUSED: Hughes



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City and County of San Francisco

Planning Department

June 9, 2005

SAN FRANCISCO

PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 9, 2005

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

DEC 19 2006

COMMISSIONERS PRESENT: Dwight Alexander, Michael J. Antonini, Shelley Bradford Bell, William L. Lee, Christina Olague

SAN FRANCISCO
PUBLIC LIBRARY

COMMISSIONERS ABSENT: Kevin Hughes and S. Lee

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE
AT 1:45 p.m.

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning;
 Larry Badiner – Zoning Administrator; Susan Cleveland-Knowles –
 Deputy City Attorney; Ben Fu; Jonathan Purvis; Sara Vellve; Dan Sirois;
 Michael Smith; Linda Avery – Commission Secretary

•CONS IDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2004.1078D
 (J. PURVIS: (415) 558-6354)
 2417 BRYANT STREET- east side south of 22nd Street;
 Lot 023 in Assessor's Block 4151 - **Request for Discretionary Review** of Building Permit Application No. 2004.02.27.7308 proposing the addition of two full floors for two additional dwelling units to an existing single-family dwelling in an RM-1 (Residential, Mixed, Low-Density) Use District, and a 40-X Height and Bulk District.

Preliminary Recommendation: ~~Pending~~ Take Discretionary Review and Approve Project.

(Continued from Regular Meeting of April 28, 2005)

(Proposed for Continuance to June 16, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to June 16, 2005

AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague

ABSENT: Hughes and S. Lee

2. 2003.0672CE (I.
NISHIMURA: (415) 558-5967)

5800 THIRD STREET RESIDENTIAL AND COMMERCIAL MIXED-USE PROJECT - Appeal of Preliminary Mitigated Negative Declaration - The proposed project would consist of construction of a residential and commercial mixed-use development after demolition of a defunct bottling plant facility at 5800 Third Street (Assessor's Block 5431A, Lot 001), at the southwest corner of Third Street and Carroll Avenue in the Bayview neighborhood. The project would include 355 multi-family residential units in four buildings, 13,000 gross square feet (gsf) of ground floor retail space in two of the buildings that would be along Third Street, and 379 off-street parking spaces in the four buildings. The four buildings would total 641,920 gsf in size, ranging in height from 50 to 60 feet tall (four to five stories) and would be built around a central plaza and a private driveway with two visitor loading spaces, with access from Carroll Avenue. Sixteen surface parking spaces for the retail uses would be provided on the south side of the project site, with access provided from a right-turn-only driveway on Third Street at the southern boundary of the site. Twenty surface parking spaces for visitors would be provided along the central private driveway. Currently, the 5.75-acre site is occupied by a three-story, 103,000-gsf closed Coca-Cola bottling plant constructed in 1966, which would be demolished. Current use of the site is temporary parking of moving company trucks and charter buses. The site is within an M-1 (Light Industrial) District, the Third Street Special Use District (SUD), a 65-J Height and Bulk District, and the proposed Bayview Hunters Point Redevelopment Projects and Zoning Health Center Activity Node. The project would require Conditional Use Authorization for a Planned Unit Development and for residential uses in an M-1 District by the Planning Commission, which is a public hearing process.

(Proposed for Continuance to July 21, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued to July 21, 2005
 AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague
 ABSENT: Hughes and S. Lee

3. 2004.1234D
 (J. PURVIS: (415) 558-6354)

1140 POTRERO AVENUE - west side north of 24th Street; Lot 009 in Assessor's Block 4211 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2004.07.23.9615, proposing the demolition of a one-story-over-garage, single-family dwelling in an RH-3 (Residential, House, Three-Family) Use District, and a 65-A Height and Bulk District.

Preliminary Recommendation: Pending.

(Proposed for Continuance to July 21, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued to July 21, 2005
 AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague
 ABSENT: Hughes and S. Lee

4. 2005.0148DD
 (J. PURVIS: (415) 558-6354)

1140 POTRERO AVENUE - west side north of 24th Street; Lot 009 in Assessor's Block 4211 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all replacement structures following residential demolition, of Building Permit Application No. 2004.07.23.9619 proposing the construction of a three-story-over-garage, three-family dwelling in an RH-3 (Residential, House, Three-Family) Use District, and a 65-A Height and Bulk District.

Preliminary Recommendation: Pending.

(Proposed for Continuance to July 21, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued to July 21, 2005
 AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague
 ABSENT: Hughes and S. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

5. Commission Comments/Questions

Commissioner Bradford Bell:

Re: Director's Search

- She wants to know the status of the Director's Search.

Commissioner Antonini:*Re: Mid-Market*

- What are the statistics on the population of residents of this area?
- How much low cost housing and below market rate housing exists in the area?

Commissioner Olague:*Re: Mid-Market*

- She is also interested in the demographics of this area.

Zoning Administrator responded:

- He will get this information promptly.
- He will get some kind of radius of the area.

C. DIRECTOR'S REPORT

6. Director's Announcements

None

7. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS –*Re: 18th and Arkansas*

- The Board approved this project.
- The Mayor's Office of Housing will increase the below market rate housing.

BOA –*Re: 1234 19th Avenue*

- The Commission denied the demolition request and was overturned.
- Last night there were findings on the replacement structure.
- There was a request for a rehearing, which was denied.
- The Board determined that they had all the correct information they needed to hear the project.
- The Board overturned the denial of the building permit and made the changes requested by the Commission for the new construction.

Commissioner Alexander:*Re: Rincon Hill*

- He would like a status report on the hearing that took place at the Board of Supervisors this week.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter

jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Lewis Epstein

Re: 20 Peters Avenue

- This case was heard previously.
- He asked if there was any opposition and the planner said that there wasn't any.
- When he came to the hearing, he found out that there was a letter opposing the project.
- He requested a rehearing be scheduled so that he can speak to the issues of the person opposing the project.

Debra Bridges

Re: 20 Peters Avenue

- From the hearing on May 12, 2005, no one requested a rehearing;
- It would be equitable to have a rehearing of this matter.
- There were no findings because it was a tie vote[and the status is a result of a non commission action].

Kathleen Courtney – Russian hill Community Association

Re: 1122-1126 Green Street

- The Commission rescheduled this case to 6/16/05, but they were never notified that the hearing date had been changed from June 9, 2005 to June 16, 2005.
- She asked that this case be scheduled to June 23, 2005 or a mutual agreed upon date.

Jamie Cherry – Russian Hill Community Association

Re: 1122-1126 Green Street

- She also requested that this case be scheduled to June 23, 2005.
- The association was not notified about the change of hearing dates.

John Bardis

Re: 1122-1126 Green Street

- It is important that the process be followed. There was a change of hearing date and all parties were not notified.
- It would be only fair to pick a mutually agreeable date.

Marilyn Amini

Re: Bicycle Coalition

- She submitted a letter requesting that the Commission call back the CEQA findings regarding the bicycle coalition.

- There are sections in the law that the Commission is obligated to adopt findings before they approve a project.
- She spoke to three supervisors asking that the action of the bike plan be delayed until the Commission has the opportunity to review this request for call back.

Commissioner Alexander:

Re: Bicycle Coalition

- Is there an interest within the Commission to schedule this?

Commission Secretary responded:

- This item is not on the calendar.
- The Commission Chair could direct staff to schedule this for reconsideration.

Zoning Administrator responded:

- This legislation has gone through the Board of Supervisors already and is no longer within the Commission's jurisdiction.

Commissioner W. Lee

- He feels that Ms. Amini has good arguments.
- He asked the City Attorney to do a written interpretation of Ms. Amini's arguments.

E. REGULAR CALENDAR

8.

2004.1339C

(B. FU: (415) 558-6613)

1057 MISSISSIPPI STREET - eastside between 23rd and 25th Streets, Lot 011 in Assessor's Block 4224 - **Request for Conditional Use** Authorization under Planning Code Section 215 and pursuant to Planning Code Section 303, to allow the construction of three (3) dwelling units in a M-1 (Light Industrial) District with a 40-X Height and Bulk designation, and in a Housing/PDR overlay as designated by Planning Commission Resolution No. 16727.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) David Silverman – Reuben and Junius – Representing Project Sponsor

- He wasn't aware that this item and the next were going to be called together.
- The project fully complies with Eastern Neighborhood interim zoning.
- This district does not require any PDR space.
- The project sponsor is going to provide PDR space anyway.
- The project will enhance the neighborhood and establish

infill housing in residential neighborhoods.

- The project will contain "green technology."

(+) Robert Pender

- He supports these projects because they increase housing.

- There is no demolition of rent-controlled housing here.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague

ABSENT: Hughes and S. Lee

MOTION: 17032

9.

2004.1254C

(B. FU:

(415) 558-6613)

1077 MISSISSIPPI STREET – eastside- between 23rd and 25th Streets, Lot 050 in Assessor's Block 4224 - **Request for Conditional Use** Authorization under Planning Code Section 215 and pursuant to Planning Code Section 303, to allow the construction of three (3) dwelling units in a M-1 (Light Industrial) District with a 40-X Height and Bulk designation, and in a Housing/PDR overlay as designated by Planning Commission Resolution No. 16727.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): See Speakers for item 8.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague

ABSENT: Hughes and S. Lee

MOTION: 17033

10a. 2004.0032D

(J. PURVIS: (415) 558-6354)

43 HAMILTON STREET- east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all housing demolition permits, of Demolition Permit Application No. 2002.10.17.9296 proposing the demolition of a one-story, single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove the demolition.

(Continued from Regular Meeting of June 2, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued indefinitely

AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague

ABSENT: Hughes and S. Lee

10b. 2004.0033D

(J. PURVIS: (415) 558-6354)

43 HAMILTON STREET- east side south of Silver Avenue; Lot 007 in Assessor's Block 5919 - **Mandatory Discretionary Review**, under Planning Commission policy requiring review of all replacement structures following residential demolition, of Building Permit Application No. 2002.10.17.9298 proposing the construction of a two-story single-family dwelling in an RH-1 (Residential, House, One-Family) Use District, and a 40-X Height and Bulk District. Preliminary Recommendation: Take Discretionary Review and disapprove the new construction.
(Continued from Regular Meeting of June 2, 2005)

SPEAKER(S): None
ACTION: Without hearing, item continued indefinitely
AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague
ABSENT: Hughes and S. Lee

11. 2004.1204D
(S. VELLVE: (415) 558-6263)

1420 HAIGHT STREET - north side between Masonic Avenue and Ashbury Street; Lot 005 in Assessor's Block 1232 - **Request for Discretionary Review** of Building Permit Application No. 2003.12.21.3024 proposing to legalize a stair penthouse and elevator mechanical equipment constructed without permits at the rear of the roof of the subject building, which houses Shoe Biz, in the Haight Street Neighborhood Commercial District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project.

NOTE: This item was originally heard on Thursday, April 21, 2005 when the Commission held a public hearing, took public testimony, closed the public hearing, and passed a motion to take discretionary review and disapprove the permit. Subsequently, a written request that the Discretionary Review case be re-heard by the Commission was accepted on the basis that new information had become available. The Commission President instructed that this item be scheduled for possible reconsideration. The variance request associated with this permit is not subject to the re-hearing.

SPEAKER(S):

(+) David Levy – Morrison and Forrester

- He thanked the Commission for hearing them.

- He requests that the Commission reconsider their determination and pass a motion to deny the request for Discretionary Review.

- Neither of the structures are visible to the project and there are no neighbors opposed to the project.

- His client did not intentionally try to deceive anyone.

(+) Paul Virl

- He wasn't aware that there was any hazard with the elevator.
- He is opposed to taking Discretionary Review.

(+) Jim Siegel

- The business is an asset to the Haight-Ashbury district.
- His building is filled with graffiti and the owner will not do anything about it, but the owner of the proposed project really tries to reduce graffiti and loitering.
- He feels that the person who is against this project is just being vindictive.

(+) Ali Ghambarian – SOMA Magazine

- He has been publishing this magazine for about 20 years.
- He knows that the owners of the proposed project are the best most respected business owners in the neighborhood. They contribute a lot [to the community].
- He feels that they would not be people that would do anything illegal.

(+) Michael Musleh

- He owns a business in the area.
- It is very difficult to survive on Haight Street. It has become very touristy and very expensive to have a business there.
- The project sponsor is one of the oldest businesses in the area.
- The project sponsor has sustained his business and supported the other tenants and business owners of the neighborhood.

(+) Philip Telesco

- He is a business owner in San Francisco.
- He provides hardware and software to small businesses.
- The project sponsor is one of the hardest business owners he has met.
- He knows that the project sponsor is honest and reliable.

(+) Matthew Brasler

- He is in support of the project sponsor
- The project sponsor has always been honest, generous and a hard worker.

(+) John Curtis – East West Bank

- He has been a banker for over five years.
- He has worked with the project sponsor and knows that he has a strong character.
- The street has been cleaner since the project sponsor moved in to the area.

(+) Mehran Esmair – Project Sponsor

- Safety and food compliance lead to the construction of the machine room and roof access.
- He did not intend to hide or deceive anyone.
- The location of the proposed project is the only seismically feasible location.

(+) Noshin Ansarinia

- She is the wife of the project sponsor.

- One does their best when you are not a developer but there are times when one makes mistakes.
- No one wants to go through what she and her husband are going through.
- She asked the Commission to allow them to install the mechanical room where it is proposed.

(-) Mark Brennan

- This project should not be reheard because there is no new information presented.
- If this project is reheard, it will open a "Pandora's box."
- It is outrageous that there have been insinuations that the people opposed to this project are being vindictive.

(-) Matthew Brennan

- State law requests that a mechanical room be placed as close to the elevator as possible.
- He has not known any project that has a mechanical room on the roof.
- The request for a rehearing should be done on the same day according to Robert's Rules of Order.

(-) Andrew Smith

- He does not support the project.
- The project sponsor intended to put the mechanical room on the roof from the beginning.
- The project sponsor should be held accountable if he made a mistake.
- He should also pay for the abuse of the process.
- There should not be a new hearing on this because there is no new information.

(-) Joe O'Donaghue

- This case should not be reheard.
- There was no new evidence heard today.
- Everyone has to abide by the same laws.
- Although the project sponsor is a very nice person, he violated the laws twice.

ACTION: No Motion to Rehear

12. 2005. 0263D

(D. SIROIS: (415) 558-6313)

387-391 MONTEREY BOULEVARD - south side, between Congo & Detroit, Lot 029, Assessor's Block 3118 - **Request for Discretionary Review** of Building Permit Application 2004.10.06.6166, to construct a one-story vertical addition on the existing two-family building and to construct a horizontal addition to the rear of the building. The subject property is located in an RH-2 (Residential, House, Two-Family) District and in a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKER(S):

(-) Jared Dargibit

- He submitted a letter from the homeowners association who are not in support of the addition because it will affect the neighborhood.
- This would be the beginning of a major erosion process.
- The property has been for sale for a long time.

(+) Leon Taylor

- In order to rehabilitate the building, there is a need for reinforcement of the foundation.
- The addition would encourage a large family to live there.
- Out of 22 houses located on the south side of the street, 12 are two-story over garage.
- All the neighbors on both sides of the structure are supporting the project.

ACTION: Did not take Discretionary Review and approved the project

AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague

ABSENT: Hughes and S. Lee

13a.

2004.0874D

(M. SMITH: (415 558-6322)

332 VALLEY STREET - north side between Sanchez and Noe Streets, Lot 012 in Assessor's Block 6613 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of residential demolition, of Demolition Permit Application No. 2004.04.01.0271, proposing to demolish a two-story two-family dwelling, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve demolition.

SPEAKER(S):

(+) William Abend – ARA Architects

- He did the soundness report.
- He displayed pictures of the deterioration of the building.

(-) Robert Pender

- He opposes this demolition because it is a rent controlled building.

(-) Maria Galaty

- She has lived on this street for many years.
- She is opposed to the demolition.

(+) Bob Horowitz

- He lives on Valley Street.
- He supports the demolition and the new construction.

ACTION: Did not take Discretionary Review and approved the demolition

AYES: Alexander, Antonini, Bradford Bell, W. Lee,

Olague

ABSENT: Hughes and S. Lee

13b.

2004.1265D

(M. SMITH: (415 558-6322)

332 VALLEY STREET - north side between Sanchez and Noe Streets, Lot 012 in Assessor's Block 6613 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2004.04.01.0263, proposing to construct a three-story two-family dwelling, located in a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed

SPEAKER(S): See Speakers for 13a.

ACTION: Did not take Discretionary Review and approved the project

AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague

ABSENT: Hughes and S. Lee

14.

2004.1305D

(M. SMITH: (415 558-6322)

2678 47TH AVENUE - east side between Vicente and Wawona Streets, Lot 020 in Assessor's Block 2450 - **Request for Discretionary Review** of Building Permit Application No. 2004.09.10.3770, proposing to construct a two-story horizontal addition at the rear of a single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed

SPEAKER(S):

(-) **Tony Mac – Discretionary Review Requestor**

- He displayed photographs of the project.

- He is opposed to the project because it will affect the privacy to his home.

(+) **John Lau**

- He is available for questions.

ACTION: Took Discretionary Review and approved the project with the following amendments: 1) Issue a Notice of Special Restriction; 2) No door between the two apartments; 3) No kitchen on the ground floor.

AYES: Alexander, Antonini, Bradford Bell, W. Lee, Olague

ABSENT: Hughes and S. Lee

F. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
 - (2) requesting staff to report back on a matter at a subsequent meeting; or
 - (3) directing staff to place the item on a future agenda.
- (Government Code Section 54954.2(a))

None

Adjournment:

4:23

p.m.

**THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE
REGULAR MEETING OF THE PLANNING COMMISSION ON
THURSDAY, JULY 14, 2005.**

SPEAKERS: None

ACTION: Approved

AYES: S. Lee, Alexander, Antonini, Bradford-Bell,
Hughes, Olague, W. Lee



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City and County of San Francisco
Planning Department

June 16, 2005

SAN FRANCISCO PLANNING COMMISSION Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 16, 2005**

**1:30 PM
Regular Meeting**

DOCUMENTS DEPT.

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COMMISSIONERS PRESENT: Dwight Alexander, Michael J. Antonini,
Shelley Bradford Bell, Kevin Hughes, Sue
Lee, William L. Lee, Christina Olague

COMMISSIONERS ABSENT: None

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE
AT 1:35 p.m.**

STAFF IN ATTENDANCE: Dean Macris – Interim Director of Planning;
Larry Badiner – Zoning Administrator; Kate Stacey – Deputy City
Attorney; Jonathan Purvis; Geoffrey Nelson; Joy Navarrete; Kate McGee;
Tina Tam; Dan Sider; Paul Lord; Tammy Chan; Matt Snyder; Linda Avery
– Commission Secretary

•CONS IDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1.

(L. AVERY: (415) 558-6407)
**PLANNING COMMISSION RULES AND REGULATIONS –
Consideration of amendment** to Article IV, Sections 3 & 6

to address notice and voting; add a new Section 7 to address jurisdiction; and renumber remaining sections of Article IV.

(Continued from Regular Meeting of May 12, 2005)

(Proposed for Continuance to July 14, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued July 14, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

2. 2005.0372D

(D. SIROIS 558-

6313)

752 - 27TH STREET - north side, between Diamond & Douglass, Lot 010A, Assessor's Block 6583 - **Request for Discretionary Review** of Building Permit Application 2005.01.06.2691, to construct a one-story vertical addition on the existing single-family dwelling and to construct a four-level horizontal addition to the rear of the building. The subject property is located in an RH-1 (Residential, Single-Family) District and in a 40-X Height and Bulk District. Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

(Discretionary Review Application Withdrawn)

SPEAKER(S): None

ACTION: Discretionary Review Withdrawn

B. COMMISSIONERS' QUESTIONS AND MATTERS

3. Consideration of Adoption of Draft Minutes of May 12 and May 19, 2005

May 12, 2005 Minutes

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

EXCUSED: Bradford Bell

May 19, 2005 Minutes

SPEAKER(S): None

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

4. Commission Comments/Questions

Commissioner W. Lee:

Re: Board of Appeals

- He requested that the Commission Secretary send a

thank you letter to all the members of the Board of Appeals for the joint hearing previously held.

Commissioner Hughes:

Re: Board of Appeals

- He thanked the members of the Board of Appeals for taking the time to meet with the Planning Commission.

Re: PDR

- Is there a way to do a third party neutral determination of what is the current housing shortage in San Francisco? Is there one? To what extent?

- He would like a report on this.

Commissioner Olague:

Re: Board of Appeals

- She hopes that the demolition/merger policies are analyzed.

Re: Board of Supervisors – Land Use Committee

- Is there a packet available regarding the affordable housing needs in the City?

- She knows that this was researched recently.

Zoning Administrator responded:

- He will get information together and report in the near future.

Commissioner Antonini:

Re: Board of Appeals

- He thanked the Board of Appeals for meeting with them.

- It is important to have figures that are current on the vacancy rates particularly for rental housing.

C. DIRECTOR'S REPORT

5. Director's Announcements

6. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOS –

Paul Lord – Staff Planner Reported

Land Use Committee –

- There were three items of interest to the Commission which were related to pieces of legislation introduced by Aaron Peskin and involved rezoning.

- Block 139, 140, 141 – the Broadway Hotel site – this was a very lengthy hearing with a lot of testimony.

- The original piece of legislation minus the Commission's recommendation for a special height district is what was forwarded out of the Land Use Committee.

- The recommendation to the full Board is to reduce the height on block 139 to 40 feet and blocks 140 and 141 to 65 feet from their 84E height designation.

Re: Southern Edge of Jackson Square

- This was also heard at the Land Use Committee.
- The recommendation to the Board was to maintain the base 65-foot height and then lower the heights to absolute maximum of 40 feet along Columbus Street on block 195.

Re: Pacific Avenue

- This was heard by the Commission in April and heard at the Land Use Committee this week.
- The recommendation to the full Board was to recommend the RM-1 Zoning.

Re: Schlage Site – Visitation Valley

- The Planning Department has prepared a concept plan that is awaiting environmental review.
- Leland Avenue, which is included in the survey area, is included for improvement in the Better Streets Program.
- The Board has appropriated a budget of about \$800,000 for the planning, environmental review, and design development.
- A grant was also awarded to the department from the Haas Foundation for this work.
- An informational presentation before the Commission will be scheduled in the near future.

Kate Stacey – City Attorney reported:

Re: Transbay Terminal

- Earlier today, the City Attorney's office heard from the California Court of Appeals that it had stayed judge Kinshay's order against the City in the Transbay Terminal litigation and moved in favor of the City. There is no written order yet.

Re: Golden Gate Park Concourse Authority Project

- They received notice that judge Warren in the Superior Court had ruled in the City's favor and had dismissed the last of the claims against the City. There is no written order yet.

Re: Bicycle Plan

- The general rule exclusion issued on this was appeal to the Board of Supervisors. The Board upheld it and they approved the amendments to the general plan. The Planning Commission no longer has jurisdiction unless there are further general plan amendments. The next step is development and implementation of the circulation method.

Re: Green Buildings

- This informational presentation will be scheduled on August 11, 2005.

BOA – None

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

Marilyn Amini

Re: Bicycle Plan

- She stated various concerns.

E. PUBLIC COMMENT ON AGENDA ITEMS WHERE THE PUBLIC HEARING HAS BEEN CLOSED

At this time, members of the public who wish to address the Commission on agenda items that have already been reviewed in a public hearing at which members of the public were allowed to testify and the public hearing has been closed, must do so at this time. Each member of the public may address the Commission for up to three minutes.

None

F. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

7. 2005.0031ERZ

(K. AMDUR: (415) 558-6351)

425 MASON STREET - west side between Post and Geary Streets, Lot 002 in Assessor's Block 0306 - **Request for a Planning Code Amendment**, altering Zoning Map 1 to reclassify the subject property from P (Public) to C-3-G (Downtown General Commercial) zoning, and for findings pursuant to CEQA. The site is developed with a vacant, eight-story office building, rated Category IV under Article 11, and is located in the Kearny-Market-Mason-Sutter Conservation District. The 80-130-F Height and Bulk designation of the property would not change.

Preliminary Recommendation: Approval

SPEAKER(S): None
 ACTION: Approved
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 EXCUSED: Bradford Bell
 MOTION: 17034

8. 2005.0031ERZ

(K. AMDUR: (415) 558-6351)

425 MASON STREET - west side between Post and Geary Streets, Lot 002 in Assessor's Block 0306 - **Request for findings of consistency with the General Plan** for the proposal to reclassify the subject property from P (Public) to C-3-G (Downtown General Commercial) zoning. The 80-130-F Height and Bulk designation of the property would not change.

Preliminary Recommendation: Adopt Findings of Consistency

SPEAKER(S): None
 ACTION: Approved
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 EXCUSED: Bradford Bell
 MOTION: 17035

•REGULAR CALENDAR

9. 2004.1078D

(J. PURVIS: (415) 558-6354)

2417 BRYANT STREET - east side south of 22nd Street; Lot 023 in Assessor's Block 4151 - **Request for Discretionary Review** of Building Permit Application No. 2004.02.27.7308 proposing the addition of two full floors for two additional dwelling units to an existing single-family dwelling in an RM-1 (Residential, Mixed, Low-Density) Use District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and Approve with Revisions.

(Continued from Regular Meeting of June 9, 2005)

SPEAKER(S): None
 ACTION: Without hearing, item continued July 21, 2005
 AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague
 ABSENT: Bradford Bell

10.

2005.0375D

(G. NELSON (415) 558-6257)

1122 GREEN STREET - north side between

Leavenworth and Hyde Streets, lot 006 in Assessor's Block 0122 - **Request for Discretionary Review** of Building Permit Application No. 2004.07.28.9990, proposing to 1) enlarge the garage (previously approved but not yet constructed) internally to accommodate three cars, 2) remove and reconfigure (replace) the exterior front stairs, 3) make several minor modifications to portions of the front and side facades, and 4) remodel portions of the interior of the building, primarily the lower floor apartment, of a three-family dwelling in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. The proposal would result in the creation of three off-street parking spaces.

Preliminary Recommendation: Take Discretionary Review and Approve with Modifications

(Continued from Regular Meeting of May 26, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued July 14, 2005

AYES: Alexander, Antonini, Hughes, S. Lee, W. Lee, Olague

ABSENT: Bradford Bell

11a. 2005.0175CV

(G. NELSON: (415) 558-6257)

146-148 21ST AVENUE, east side between Lake and California Streets; Lot 028 in Assessor's Block 1380 - **Request for Conditional Use** authorization pursuant to Sections 209.1(g), 303 and 178 of the Planning Code to expand an existing dwelling unit located in a rear yard structure within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. Because the project would also result in the expansion and relocation of the non-complying rear yard structure, the applicant is also seeking a Variance to the requirements of the Planning Code (Sections 134 and 188 of the Code).

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Humphrey Chin – Project Sponsor

- He would like to have access for maintenance reasons.
- He would like to enclose the stairway as protection from the weather.
- He hopes the Commission will approve this project.

(-) Ron Miguel – Planning Association for the Richmond

- He did not know the changes to the project.
- There is a good-sized redwood tree that he is concerned about.
- The Conditions of Approval should state that nothing should be moved unless there is a certification from an arborist.

(-) Julie Leung

- He would like the addition moved to the left side. Their cottage is close so she will lose privacy.

(-) Abbey Shmear

- She has been working on a compromise.
- She is concerned with the Variance and making two drainage systems.
- The mid-block open space is very essential to the neighborhood.
- She is also concerned with the redwood tree and hopes that it will be protected.
- The possibility of making the stair part of the interior instead of enclosing it would allow for more space.

(+) Robert Medson – Project Architect

- Given the size of the revised proposal, the scope of the proposal is reasonable.
- The affects on the adjoining neighbors are minimal.
- The scale of the proposed cottage is small.
- The siding of the cottage has been carefully considered.
- Most of the neighbors are concerned about the redwood tree.

(-) Joel Tomay

- He lives in the neighborhood.
- He suggested that the building not be moved at all but do the renovations anyway.

ACTION: Approved with suggested language that would allow the tree to be saved through the Variance process.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

MOTION: 17036

11b.

2005.0175CV

(G.NELSON: (415) 558-6257)

146-148 21st AVENUE, east side between Lake and California Streets; Lot 028 in Assessor's Block 1380 - **Request for Variances** from the rear yard and non-complying structure requirements of the Planning Code, per Sections 134, 188, and 305, to allow the alteration of a rear yard cottage apartment by moving it away from the south property line by 3'-0", expanding the envelope of the structure approximately 4' to the north side, and expanding the dwelling unit within the structure to occupy space on the ground floor currently used as storage and laundry areas, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District.

SPEAKER(S): See Speakers for Item 11a.

ACTION: Zoning Administrator closed the public hearing and granted the variance as modified:

add the following language: "any recommendation that would require removal of the tree shall be reviewed and subject to the approval of the Zoning Administrator."

12. 2003.0869E (J.
NAVARRETE: (415) 558-5975)

88 FIFTH STREET - THE OLD U.S. MINT - Appeal of Preliminary Mitigated Negative Declaration - The proposed project is the rehabilitation plus seismic upgrade and addition to the United States Old Mint located at 88 Fifth Street in downtown San Francisco (Assessor's Block 3704, Lot 11). The existing three-story plus an occupied attic 99,921-gross-square-foot (gsf) building would be retained, and the first floor courtyard enclosed in 1973 for offices would be removed, (a deduction of 4,336 gsf), and additional circulation bridges, stairs and an elevator (addition of 2,642 gsf) would be added within the existing 4-story courtyard. The existing attic would be expanded on the roof along the south side of the courtyard to create a museum gallery (an addition of 1,554 gsf) with a view of the city skyline to the south. The courtyard removal and additions of bridges and roof gallery would result in an overall reduction of gsf, for a total floor area of 99,788 gsf. The building would include 79,957 square feet if usable space total including: 36,326 sf of City History Museum space, 2,082 sf of Museum office space, 2,045 sf of museum back of house space, 2,044 sf of museum retail, and 3,336 sf of museum theater space. Tenants in the building would be the 8,153 sf Gold Rush and Money Museum, 2,492 sf of small retail lease spaces, and 6,360 gsf of restaurant space and cafe. 3,987 sf would be used for the San Francisco Visitor Center, and the remaining 11,108 sf would be circulation, toilets and support spaces ancillary to the museum use. The project would include closure of Jessie Street to vehicles, between Mint and Fifth Streets, to be used for outdoor restaurant seating. The project site is approximately 47,515 sq. ft., is zoned P (Public) within a 90-X height and bulk district, and within the Mid-Market St. Revitalization and Conservation District. Transaction document approvals would be required from the Board of Supervisors, and a Certificate of Appropriateness would be required by the Landmarks Preservation Advisory Board.
Preliminary Recommendation: Uphold Mitigated Negative Declaration

(Continued from Regular Meeting of May 26, 2005)

SPEAKER(S): None

ACTION: Without hearing, item continued June 23, 2005

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

13a.

2003.1113CMK

(K. McGEE: (415) 558-6367)
"CANDLESTICK COVE," BLOCK 4991, LOTS 241 & 279 - which together comprise the undeveloped, northwestern corner of the City's Executive Park development - **Request for Conditional Use** authorization under Planning Code Sections 303 and 304 to create a new Planned Unit Development (PUD) with PUD exceptions including rear yard, parking, and freight loading, and to allow construction of up to 450 dwelling units, 14,000 square feet of commercial space, a 1,000 square-foot community center, and up to 600 off-street parking spaces. The site is within a C-2 (Community Business) Zoning District, and 40-X, 100-G, 140-H, 165-I and 200-I Height and Bulk Districts. This project also includes a General Plan Amendment to change a portion of the Executive Park Subarea Plan, a part of the South Bayshore Area Plan that governs development on the site.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S):

(+) Jared Igerman – Reuben and Junius

- If this proposal were approved today it would only change one side of the area.
- The other areas will remain the same.

(+) Erik Harrison – Signature Properties

- There have been a significant number of community meetings to discuss development concepts, bus tours, etc.
- The bus tours were instrumental to show the community members the type of products they provide.
- He gave a general description of the site plan.

(+) Espanola Jackson

- The developers of this project have really made an effort to communicate with the community.
- She has been working to develop this area for a long time.
- She has been in the area since 1948.
- She hopes the commission will pass this proposal.

(+) John King

- He is in support of this project.
- He hopes that this project is finished before his time is up.

(-/+) Anne Seeman – Visitation Valley Greenway Project

- They are a neighborhood group that creates parks that can function as outdoor classrooms.
- There is still time to improve this design and mitigate the impacts it will have.
- She feels that they are being held "hostage" by piece meal projects.
- She is not against the development, she just wants it done right.
- There should be affordable housing on the site. The design is institutional looking.

(+) Fran Martin – Visitation Valley Planning Alliance

- She has three areas of concern: traffic, design and infrastructure.
- These areas should be looked at closely. They have not been adequately addressed in the reports.
- It does not make sense to make so much housing with little retail.

(-/+) Justyna To

- She supports the project because she supports more housing.
- She is concerned about traffic.
- There are large families that need public services like parks and libraries – this should be addressed.

(+) Cheny Chang – Top Vision Development, LLC

- They fully support this project.
- The open space will be a great asset to the community.
- They are willing to work together with the developer.

(+) Brian Baltimore – Young Community Developers

- They run training programs for local businesses to recruit locally.
- They were able to meet with the developer and start a program for training and jobs.
- This project will really benefit the area by providing employment; workers will join local unions; etc.

(-/+) Peter Cohen – Urban Solutions

- They have been working in Visitation Valley for many months—specifically on Leland Avenue.
- People in the neighborhood still need to know what the big picture is.
- There are still many aspects of the project to know and understand.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

RESOLUTION: 17037

13b

2003.1113CMK

(K. McGEE: (415) 558-6367)

"CANDLESTICK COVE," BLOCK 4991, LOTS 241 & 279 - which together comprise the undeveloped, northwestern corner of the City's Executive Park development - **Consideration of an Ordinance to amend the San Francisco General Plan** per Planning Code Section 340 to amend the Executive Park Subarea portion of the South Bayshore Area Plan. The site is within a C-2 (Community Business) Zoning District, and 40-X, 100-G, 140-H, 165-I and 200-I Height and Bulk Districts.

Preliminary Recommendation: Approval with Conditions

SPEAKER(S): See Speakers for Item 13a.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes,

S. Lee, W. Lee, Olague

RESOLUTION: 17038

14. 2004.0282L

(T. TAM: (415) 558-6325)

1000 GREAT HIGHWAY (GOLDEN GATE PARK) - The Music Concourse area bounded by Concourse and Tea Garden Drives, including the Coxhead-designed pedestrian tunnel under John F. Kennedy Drive, plus a perimeter of land around the drives. Assessor's Block 1700, Lot 1. **Consideration to adopt a resolution** with findings related to the approval of landmark designation and to recommend to the Board of Supervisors adoption of an ordinance designating the Music Concourse in Golden Gate Park as Landmark No. 249.

Preliminary Recommendation: Adopt resolution.

SPEAKER(S):

(+) Robert Cherny

- The document the Commission has will be the basic preservation document for the Music Concourse and will be in effect for the future.

- There were four issues that were raised: management plan, benches, dumpsters and signage. The recommendations from the Commission are different from the Landmarks Board.

(+) Douglass Nelson – Recreation and Park Department

- They are working hard to make the Concourse a historical location.

- The department received National Register status for Golden Gate Park.

- The Recreation and Park department supports landmarks status and the approval of documents presented.

(+) Joyce Alicy – Recreation and Park Department

- There will be a lot of service improvements in the area like planting new trees, etc.

- Rec. and Park has a lot of arborists that will be available during this project.

- She submitted a document with signage information. The signs in Golden Gate Park should be consistent with graphic type and design structure.

(+) Ron Miguel – PAR

- He supports making this site a landmark.

- The Landmarks Board commented that the benches are sufficient.

- He commends the Rec. and Park department on the signage.

- There should be no delays on the changes proposed.

(+) Mary Ann Miller – SPEAK

- They are the originator of the Landmark study.

- Because the tunnels and the stair cases will be redone they will not be designated a landmark.

(+) Johannes Posthumus – Music Concourse

- He supports the designation of landmark and hopes that it will be a historic continuity of the park.
- The protection of the trees should be included in the documents.

(+) Katherine Howard – Friends of the Music Concourse

- They support the landmark designation.
- If a tree is removed they would like to see a new tree planted within six months.

(+) Margaret Mori – Friends of the Music Concourse

- Regarding the dumpsters, it is important that they are not visible.
- She displayed several photos of dumpsters.

(+) Roy Leggitt – Friends of the Music Concourse

- He does not believe in cutting down trees.
- There are various types of trees that would be inexpensive and manageable that could be planted when trees are removed.

(+) Isadora Morris – Friends of the Music Concourse

- She agrees that this location should be a landmark.
- She is concerned with the trees that are being removed.
- It is important to save the Music Concourse.

(+) Jennifer Myers – Friends of the Music Concourse

- She lives in the Richmond District.
- Protecting the Concourse trees is quite important.
- The language stating what should be protected, although lengthy, it is very important.

(+) Anna Myers – Friends of the Music Concourse

- She is concerned about the trees.
- She hopes that the trees will be designated a landmark.

(+) Natalie Morris – Friends of the Music Concourse

- She cannot imagine the concourse without the historical trees.

(+) Greg Miller – San Francisco Tree Council, Inc.

- He lives in the Richmond District.
- He submitted a letter from James Urban who is an arborist and states his concerns about the removal of the trees.
- He hopes that the Commission will approve the landmark status.
- If any trees are removed, they should be replaced within a six month period.

(+) Terry Milmn

- He supports the landmark status.

ACTION: Approved as modified:

1. In Revised Attachment G (dated June 16, 2005), under the Management Plan, 5th line should state: The LPAB shall review, comment and advise the Plan within six months of the date of designation.

2. Regarding portable benches shall be no less than 150 in the Concourse area.
3. Minimum tree size shall be 24 inch box.
4. Add language in Section 3 that trees be replaced within six months of removal.
5. Under section titled: Alternations within the landmark boundary that do not require a Certificate of Appropriateness, Item 1.a.(i), language should read: Emergencies: All trees posing an imminent hazard within 10 days of removal of a trees from the bowl, the Department of Recreation and Park shall submit to the Landmarks Board a report written by an ISA Certified Arborist specifying the technical reasons for removal, including potential removal without public notification.
6. Same as above: Item 2.b: Trash receptacles (with the exception that no dumpster are allowed within the Concourse Bowl, except for temporary purposes)
7. Same as above: Item 2.c.: add language : Signage should not be allowed without approval by the Landmarks Advisory Board.

AYES: Alexander, Antonini, Hughes, W. Lee, Olague
 NAYES: Bradford Bell and S. Lee
 RESOLUTION: 17039

15. 2005.0500T

(D. SIDER: (415) 558-6697)

COST RECOVERY FOR APPEALS TO THE BOARD OF SUPERVISORS- Consideration of an Ordinance amending Article 3 of the Planning Code and Section 32 of the Administrative Code in order to increase application fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors.
 Preliminary Recommendation: Approval

SPEAKER(S):

(-) did not state name

- He wants to know if the developer or person applying for the permit is paying this fee, or is applicant of the appeal paying the fee?
- Are appeals being subsidized?
- Because appellants seem to be clogging the entire system.

(-) Alice Barkley

- She feels that this is outrageous.
- There are various charges in the different project types.
- With the fees that are being charged, it would seem that a planner should be at the "beck and call" of the developer/project sponsor.

(-) Joe Cassedy – Residential Builders

- He is shocked at this charge.
- He knows exactly what it costs so the surcharge is just too

much.

(-) Charles Brenninger

- It would be good to get something if one is paying this fee.
- Time is money and construction.
- A lot of people will not be building in San Francisco because of so many fees.

(-) Gary Gee

- Because of the backlog it does not seem logical to charge more.
- Staff should charge the supervisors for the time they have to process the [appeal] applications.
- The staff time to process an appeal takes time from other applications.

(-) Sue Hestor

- The Board of Supervisors should be the ones to pay these fees.
- This is ridiculous.

ACTION: Approved the "clean up" language in the ordinance and NOT the surcharge recommendation.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, W. Lee, Olague

RESOLUTION: 17040

16. 2005.0460T
(D. SIDER: (415) 558-6697)

FINANCIAL SERVICES IN THE SLI ZONING DISTRICT-

Consideration of an Ordinance adding Section 817.32 to the Planning Code in order to allow a financial service use under certain circumstances within the Service/Light Industrial (SLI) Mixed Use Zoning District.

Preliminary Recommendation: Approval

SPEAKER(S):

(+) Jeffrey Leibovitz

- He is in favor of this because this is where one is headed in the environmental review process for the rezoning of the Eastern part of SOMA.
- This will enhance the pedestrian experience.
- There might be banks in the area, which is a growing need.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague

ABSENT: W. Lee

RESOLUTION: 17041

17. 2005.0345T
(P. LORD: (415) 558-6311)

NORTH BEACH NCD USE SIZE LIMITATIONS - Consideration of an Ordinance amending San Francisco Planning Code by amending sections 121.2, 178, 186.1, 722.21 and 722.46 concerning use size limitations and their relationship to subsequent new uses in the North Beach Neighborhood Commercial District; to amend sections 186.2, 604 and 722.42 to address antiquated provisions concerning specified signs and uses in the North Beach Neighborhood Commercial District; to amend 722.10 to delete provisions superceded by Ordinance No. 20-88; and to make conforming changes to the chart titled "Specific Provisions for the North Beach Neighborhood Commercial District" in Section 722; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approval

SPEAKER(S):

Re: Continuance

(-) Chuck Tomas – North Beach Association

- His group hasn't really heard anything about this.
- The aid of the Supervisor sponsoring this legislation is a member of their association.
- It should go before the Board of Supervisors without approval from the Commission.

(+) Martin Kurkwood

- There is specific mention of a theatre. There are also various amendments that would limit his ability to do construction.
- It would be good to extend this for a lot further than July 14.

MOTION: To continue to July 14, 2005

AYES: Alexander, Hughes, S. Lee

NAYES: Antonini, Bradford Bell, Olague

ABSENT: W. Lee

RESULT: Motion Failed

SPEAKER(S):

Re: Merits of Legislation

(-) Martin Kurkwood

- 1731-1741 Powell Street is located in one of the nicest areas of the City.
- The building is a blight on the neighborhood.
- There are a lot of different options to renovate it.
- There would be a need to go higher if a restaurant is built there.
- There are a lot of groups who supports this.
- A theatre screen would not be feasible for this location.
- They want something that will look good for the neighborhood.

- This legislation will kill many of the projects that they have.

(-) Joel Campos

- He saved for years to purchase this piece of property.
- He wants to have the best looking building in North Beach.
- If this piece of legislation goes forward, he will leave the building as is.
- The building has been empty for years. This is not the way to help the city.
- An improved building there will increase property taxes, improve tourist traffic, etc.

(-) Alice Barkley

- The process or the lack thereof is mandating this decision from the Commission.
- There is a need to talk to neighbors and get their approval.
- If a deal is cut with somebody, they will come back with yet another amendment after a deal is cut.

ACTION: Hearing Held. Item Continued to July 14, 2005. The Commission Secretary is to request an extension from Supervisor Peskin.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague

ABSENT: W. Lee

18. 2005.0394T

(P. LORD: (415) 558-6311)

PLANNING CODE SECTION 311 AMENDMENTS -

Consideration of an Ordinance amending San Francisco Planning Code by amending section 311

to clarify that the project notification requirements apply to building permits for demolition and change in the number of dwelling units as well as to building permits for new construction and alteration and to require that the notification package sent to neighboring property owners include specified information; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approval

SPEAKER(S):

(-) Marilyn Amini

- She has concerns about process.
- She just learned about this on Friday.
- A courtesy would be to send notice to all neighborhood organizations and involved them in the process.
- Notification should be required as it is specified in the code.

(-) Sue Hestor

- {She passed up language she suggests.}

- She offers an amendment that can be sent to the Board of Supervisors.
- This amendment would allow for this to move forward.
- Staff should be required to modify projects.

ACTION: Approved as Amended:

1) Page 5, Line 5 shall strike: ~~11 x 17~~ and change to 8 ½ x 11...

2) Page 5, line 7, should add the following sentence: 11 x 17 shall be made available upon request of the Project Sponsor of the 311 packet.

2) Page 5, section (E), line 8 should read: ...existing and proposed floor plans...

2) Page 2, subsection (b), line 11 should read: ...use or change in the number of dwelling units, or removal of more than 75 percent of the building's existing internal structure frame work or floor plates as per section 1005(f)(4) of a...

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague

ABSENT: W. Lee

RESOLUTION: 17042

19. 2005.0459T (P.
LORD: (415) 558-6311)

PLANNING CODE SECTION 260 ~~344~~ AMENDMENTS - Consideration of an Ordinance amending San Francisco Planning Code by amending section 260 to increase the height exemption for elevator penthouses from 10 to 16 feet, to allow the Zoning Administrator to grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approval with Modifications

SPEAKER(S):

(+) Theodore Brown – Architect

- Under the present code, it is very difficult to do elevators because of the height limit.
- This will enable us to provide access go through the entire building and allow the handicapped to access elevators.

(-) Sue Hestor

- The Commission needs to take some time and ask questions from DBI.
- They will certainly be giving their perspectives.
- This will encourage elevators and encourage roof top open spaces.

- There should be a total ban on using this extra height if a project will be right up next to people's properties.
- The Commission does not have enough information to decide on this legislation.

(+) Charles Breninger

- San Francisco has tremendous scenery and the best place to see this at the top of a roof.
- Roofs are very valuable and people should be allowed to go to the roof.
- This legislation allows people and those with handicaps to have access to the roof.

(+) Joe Cassidy

- He is in favor of this legislation and how it will affect new buildings.
- People should have full access to roofs.
- Without having that four foot area, a developer cannot comply under CAL OSHA rules.

(+) Gary Gee

- This legislation is very significant for various reasons, including elderly housing that will be constructed in the future.
- This legislation will be very beneficial in the RC-3 and RC-4 zoning districts.
- Sixteen feet is not the entire roof. It is only a small portion.

(+) Alice Barkley

- She supports this legislation and hopes the Commission will pass it.
- CAL OSHA implemented this requirement because of a previous accident.
- It is really essential that this legislation be adopted so that when there is a need to go to the roof an elevator will be available.

ACTION: Hearing Held. Public hearing remains open for any new information. Item continued to June 23, 2005.

AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague

ABSENT: W. Lee

20. 2002.1263E

(T. CHAN: (415) 558-5982)

333 FREMONT STREET - Certification of a Final Environmental Impact Report - The proposed project is an 85-foot-tall, eight-story, residential building of approximately 131,340 gross square feet (gsf) consisting of 88 dwelling units and about 88 underground parking spaces. Two existing two-story buildings on the site, which total approximately 30,417 square feet, would be demolished. The 329-333 Fremont Street building,

constructed in approximately 1930, contains a basement level, which is accessible from a driveway on Zeno Place. The smaller, 347-349 Fremont Street Edwin W. Tucker & Co. building constructed in 1913 is a rated historic structure on the California Register of Historic Resources. The project site is located about mid-block on the eastern side of Fremont Street in the block bounded by Folsom, Fremont, Harrison, and Beale Streets. Vehicular access to the parking garage would be from Fremont Street on the northern side of the building. Pedestrian access would be from the south side of the building from a courtyard facing Fremont Street. The site is within the RC-4 (Residential/Commercial High-Density) zoning district, and a 200-R height/bulk district. This site is within the newly adopted Rincon Hill Downtown Residential (DTR) District and is awaiting final adoption by the Board of Supervisors. Should the Board of Supervisor adopt the propose Rincon Hill DTR, the proposed project would be in the new 85/250-R height and bulk district.

Preliminary Recommendation: Certify the Final Environmental Impact Report.

NOTE: The public hearing on the Draft EIR is closed. The public comment period for the Draft EIR ended on December 14, 2004. The Planning Commission does not conduct public review of Final EIRs. Public comments on the certification may be presented to the Planning Commission during the Public Comment portion of the Commission calendar.

(Continued from Regular Meeting of June 2, 2005)

SPEAKER(S): None
 ACTION: EIR Certified
 AYES: Alexander, Antonini, Bradford Bell, Hughes, S. Lee, Olague
 ABSENT: W. Lee
 MOTION: 17043

21. 2002.1263C
 (M. SNYDER: (415) 575-6891)
329-349 FREMONT STREET - east side between Folsom Street and Harrison Street, Lot 019 in Assessor's Block 3747 - **Request for Conditional Use** authorization to allow the construction of a building over 40-feet in an R District (Planning Code Section 253) and to allow full lot coverage on a sloping lot in the Rincon Hill Special Use District (Planning Code Section 249.1(b)(1)(B)). The subject property is within an RC-4 (Residential-Commercial Combine, High Density) District, a Rincon Hill Residential Special Use Sub-district, and a 200-R Height and Bulk

District.

Preliminary Recommendation: Approval with Conditions
(Continued from Regular Meeting of June 2, 2005)

SPEAKER(S):

(+) Steve Vettel – Representing Project Sponsor

- Introduced Mark Hinshaw who will give a brief design presentation.
- There will be one-to-one parking because 88 units are not enough to have a valet.
- All the parking is underground.
- There will be bicycle parking and City Car Share.
- The unit mix will be 20 percent two bedrooms or more.
- He urges the Commission to approve this.

(+) Mark Hinshaw

- He gave a presentation on the architectural aspects of the project.
- The project will comply with the codes and the Rincon Hill District.

(+) Richard Koffman – Project Sponsor

- They have eliminated all the studio units.

(+) Jeff Freland

- He is in support of the project because it fits in with the neighborhood.

ACTION: Approved

AYES: Alexander, Antonini, Bradford Bell, Hughes,
S. Lee, Olague

ABSENT: W. Lee

MOTION: 17044

H. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes. The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or

(3) directing staff to place the item on a future agenda.
(Government Code Section 54954.2(a))

None

Adjournment:
10:45
p.m.

**THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE
REGULAR MEETING OF THE PLANNING COMMISSION ON
THURSDAY, SEPTEMBER 8, 2005.**

SPEAKERS: None

ACTION: Adopted

AYES: S.Lee, Antonini, Bradford-Bell, Hughes, W. Lee

ABSENT: Alexander, Olague



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City and County of San Francisco

Planning Department

June 23, 2005 (Special Joint Hearing)

SAN FRANCISCO PLANNING COMMISSION

AND

RECREATION AND PARK COMMISSION

MINUTES OF SPECIAL JOINT HEARING

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 23, 2005
12:00 PM**

PLANNING COMMISSION:

Commissioners Present:

Sue Lee; Dwight S. Alexander; Michael J. Antonini;
Shelley Bradford Bell; Kevin Hughes; William L. Lee;
Christina Olague

RECREATION & PARK COMMISSION:

Commissioners Present:

Gloria Bonilla; Lawrence Martin;

Gordon Chin; Tom Harrison

Jim Lazarus; Meagan Levitan; John Murray

**THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE
AT 12:10 P.M.**

**STAFF IN ATTENDANCE: Dean Macris –Director of Planning; Larry
Badiner – Zoning Administrator; Stephen Shotland, Linda Avery –
Commission Secretary**

DOCUMENTS DEPT.

DEC 19 2006

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1. SPECIAL CALENDAR

1. 2005.0489U
558-6308)

(S. SHOTLAND: (415)

DOWNTOWN PARK SPECIAL FUND - As required by Section 139 (g) of the Planning Code, discussion and possible action to approve an allocation of \$1.35 million in funds from the Downtown Park Special Fund. Funds would be used for repayment of revenue bonds for Union Square redevelopment (lot 1 in Assessor's Block 308), and for development of the Victoria Manalo Draves Park, formerly the Bessie Carmichael school site (lot 16 of Assessor's Block 3754) bounded by Folsom, Sherman and Harrison Streets and Columbia Square.

SPEAKERS: None
ACTION: Approved
MOTION: 17053

•B .PUBLIC COMMENT

At this time, members of the public may address the Joint Commission on items of interest to the public that are within the subject matter jurisdiction of these Commissions except agenda items. With respect to agenda items, your opportunity to address these Commissions will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

None

Adjournment: **12:27 P.M.**

THESE MINUTES ARE PROPOSED FOR ADOPTION AT THE REGULAR MEETING OF THE PLANNING COMMISSION ON THURSDAY, MARCH 2, 2006.

SPEAKERS: None
ACTION: Approved
AYES: S. Lee, Antonini, Bradford-Bell, Hughes, Olague, W. Lee
ABSENT: Alexander



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Calendars/Agendas/Minutes/Notices >> Planning Commission Agendas and Minutes

City and County of San Francisco
Planning Department

June 23, 2005(1)

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

**Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, June 23, 2005**

1:30 PM

Regular Meeting

DOCUMENTS DEPT.

DEC 19 2006

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COMMISSIONERS PRESENT: S. Lee; Dwight S. Alexander; Michael J. Antonini;
Shelley Bradford-Bell; Kevin Hughes; William L. Lee;
Christina Olague

COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY PRESIDENT SUE LEE AT 1:34 P.M.

STAFF IN ATTENDANCE: Dean Macris – Director of Planning, Larry Badiner – Zoning Administrator, Jonathan Purvis, Michael Li, Ben Fu, Irene Nishimura, Mathew Snyder. Isolde Wilson, Michael Smith, Geoffrey Nelson, Marshall Foster, Linda Avery – Commission Secretary

•CONS IDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to

hear the item on this calendar.

1. 2005.0185D
(415) 558-6315)

(M. WOODS:

1865 CLAY STREET - south side between Franklin Street and Van Ness Avenue; Lot 008 in Assessor's Block 0623 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2004.11.17.9505S, proposing to convert the building's authorized use from eight dwelling units to six dwelling units in an RM-3 (Residential, Mixed Districts, Medium Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

(Proposed for Continuance to July 14, 2005)

SPEAKERS: None

ACTION: Continued as proposed

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

2a. 2004.0130CV
(415) 558-6344)

(J. MILLER:

1353-1355 BUSH STREET - south side between Larkin and Polk Streets, with additional frontage on Fern Street, Lot 13 in Assessor's Block 669, in an the Polk Street Neighborhood Commercial District ("NCD") and a 65-A Height and Bulk District - **Request for Conditional Use** authorization for use size in excess of 3,000 square feet for a music training facility ("Music City"), with a Full-Service Restaurant and Bar with live entertainment, also requiring a Variance for off-street parking and usable open space for an upper-floor group-housing use.

Preliminary Recommendation: Approval with Conditions

NOTE: On July 22, 2004, following public testimony, the Commission continued the matter to September 23, 2004 instructing the Project Sponsor to continue discussing issues with neighbors. Public comment remained open.

NOTE: On September 23, 2004, without a hearing, the item was continued to October 28, 2004.

NOTE: On October 28, 2004, without a hearing, the item was continued to November 18, 2004.

NOTE: On November 18, 2004, the Commission entertained a motion of intent to disapprove by a vote +6-0. Commissioner William Lee was absent. Final Language: December 9, 2004.

NOTE: On December 9, 2004, Commission tabled the item at the call of the Chair. Item to be re-noticed for a new hearing at a (non-specific) later date.

(Proposed for Continuance to July 14, 2005)

SPEAKERS: None

ACTION: Continued as proposed

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

2b. 2002.0130CV
(415) 558-6344)

(J. MILLER:

1353-1355 BUSH STREET - south side between Larkin and Polk Streets, with additional frontage on Fern Street, Lot 13 in Assessor's Block 669, in the Polk Street Neighborhood Commercial District ("NCD") and a 65-A Height and Bulk District - **Off-Street Parking and**

Usable Open Space Variances sought in conjunction with the conversion of existing tourist hotel rooms to group housing (residential hotel rooms) and for a Full-service Restaurant and Bar and music training facility ("Music City") with no off-street parking and no outdoor open area.

NOTE: On July 22, 2004, following public testimony, the Acting Zoning Administrator continued the matter to September 23, 2004.

Public comment remained open.

NOTE: On September 23, 2004, without a hearing, the item was continued to October 28, 2004.

NOTE: On October 28, 2004, without a hearing, the item was continued to November 18, 2004.

NOTE: On November 18, 2004, the Zoning Administrator closed the Public Hearing with an intent to disapprove the Variance.

NOTE: On December 9, 2004, the Zoning Administrator tabled the matter indefinitely. Item to be re-noticed for a new hearing at a (non-specific) later date.

(Proposed for Continuance to July 14, 2005)

SPEAKERS: None

ACTION: Continued as proposed

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

3. 2004.1106CV (J. PURVIS:
(415) 558-6354)

1360-1364 STEVENSON STREET - west side between McCoppin and Duboce Streets; Lot 073 in Assessor's Block 3513 - **Request for Conditional Use** Authorization under Planning Code Section 215(a) to construct a four-story, five-unit residential building on a vacant lot within the C-M (Heavy Commercial) District. A Rear Yard Variance is sought under Section 134(a) to provide rear yard open space within an inner court and a rear setback. The Zoning Administrator will hear the Rear Yard Variance immediately following the Planning Commission's hearing, on the Conditional Use. The site is within the C-M District, and a 105-E Height and Bulk District.

Preliminary Recommendation: Approval with Conditions

(Continued from Regular Meeting of May 26, 2005)

(Proposed for Continuance to July 21, 2005)

SPEAKERS: None

ACTION: Continued as proposed

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

4. (L. BADINER:
(415) 558-
6350)

CINGULAR / AT&T- Informational Presentation - to explain how the merger of the two companies will affect all of their current and future conditional use applications.

(Proposed for Continuance to July 21, 2005)

SPEAKERS: None

ACTION: Continued as proposed

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

5. 2005.0256T (P. LORD:
(415) 558-6311)

SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT
RESIDENTIAL CONVERSION TO OTHER INSTITUTION -
Consideration of an Ordinance amending San Francisco Planning
Code by amending Section 724.1 to allow for conversion of upper
floor residential units in the Sacramento Street Neighborhood
Commercial District as a conditional use, where: the new use will be
an Other Institution, Educational Service use, only one dwelling unit in
building will be converted, and that unit is the only non-residential use
in the building, and no legally residing tenant with be displaced: and
making findings of consistency with the priority policies of Planning
Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approval

(Continued from Regular Meeting of May 26, 2005)

(Proposed for Continuance to September 8, 2005)

SPEAKERS: None

ACTION: Continued as proposed

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

6. 2005.0264DD (I. WILSON:
(415) 558-6163)

680 27TH AVENUE - east side between Anza and Balboa Streets, Lot
020 in Assessor's Block 1569 - **Requests for Discretionary Review of**
Building Permit Application No. 2003.07.08.8328, proposing to
construct a 25-foot wide by 20-foot deep, three-story addition and a 17-
foot wide by 12-foot deep deck (approximately five feet high) at the rear
of the existing house, located in an RH-2 (Residential, House, Two-
Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Pending

(Proposed for Continuance to September 15, 2005)

SPEAKERS: None

ACTION: Continued as proposed

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

B. COMMISSIONERS' QUESTIONS AND MATTERS

7. Consideration of Adoption – Draft Minutes of May 26 and June 2, 2005.

•Draft Minutes of May 26, 2005

SPEAKERS: None

ACTION: Approved

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

•Draft Minutes of June 2, 2005

SPEAKERS: None

ACTION: Approved

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Olague, W. Lee

EXCUSED: Hughes

8. Commission Comments/Questions

Commissioner Bradford-Bell:

Re: Requested a calendar item to discuss, among themselves, the status of the Director search.

Commissioner S. Lee responded:

Re: Directed that a meeting be scheduled on July 21, 2005

C. DIRECTOR'S REPORT

9. Director's Announcements

1. Introduced Alicia John-Baptiste – Administrative Officer, to give a summary of their presentation to the Finance Committee regarding the Department's budget.
2. Zoning Administrator announced that Supervisor Alioto-Pier requested a 30-day extension on the Sec. 260 amendments.
3. Geoffrey Nelson is leaving the Planning Department to pursue other interest.
4. We are meeting with the Director of DBI to correlate our computer systems.

10. Review of Past Week's Events at the Board of Supervisors and Board of Appeals

BOA:

None

BOS:

1. Unanimously adopted the General Plan Amendment for Transbay.
2. Adopted the original proposal for RM-1
3. Block 185 – Jackson Square -- the Board adopted the original proposal.
4. Supervisor Peskin requested an extension of the North Beach changes for 60 days.

D. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKER:

Ernestine Weiss

1. Expressed her disappointment with Commissioner Alexander's comments made to Supervisor Peskin regarding the Broadway Hotel.

- Requested a written apology to Supervisor Peskin

Charles Marstellio

- Spoke regarding Sec. 1304 of the San Francisco Subdivision Ordinance.

Marilyn Amini

1. Legislation that has been issued by the Board of Supervisors and the Planning

Commission needs to have notification.

E. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

ITEM 11 WAS REMOVED FROM CONSENT CALENDAR AND FOLLOWED ITEMS 12 & 13.

11. 2003.0205C (J. PURVIS:
(415) 558-6354)
638, 660, 662 CAMPBELL AVENUE - north side between Albert and Ervine Street; Lots 061,062,063 in Assessor's Block 6189 - **Request for Conditional Use** Authorization under Planning Code Section 303(e) to modify conditions of approval under Motion No. 14856 (adopted by the Planning Commission on August 17, 2000 under Case No. 2000.557) in order to revise the design of three single-family dwellings that are under construction. The revisions would allow the enclosure of roof deck space at the rear of the third story to accommodate an additional bedroom in each dwelling. The site is within an RH-1 (Residential, House, One-Family) Land Use District and a 40-X Height and Bulk District.
Preliminary Recommendation: Approval with Conditions

SPEAKERS:
Luna Harrison

1. Her objection to this project is that she feels that she will be boxed-in.
2. There is a back unit that has lots of sun. But the additional bedrooms being proposed will take away whatever light we are getting now.

ACTION: Approved
AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,
Olague, W. Lee
MOTION: 17047

12. 2005.0414C (M. LI:
(415) 558-6396)
2001 POLK STREET- northwest corner at Pacific Avenue, Lot 006 in Assessor's Block 0574 - **Request for conditional use** authorization to add a Type 21 ABC license to the existing retail grocery store (dba "Cheese Plus"). Pursuant to Section 790.55 of the Planning Code, this proposal constitutes the establishment of a liquor store. The proposed use is not formula retail as defined in Section 703.3 of the Planning Code. There will be no physical expansion of the existing building or commercial space. The site is within the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District..
Preliminary Recommendation: Approval with Conditions

SPEAKERS: None
ACTION: Approved

AYES: S. Lee, Alexander, Bradford-Bell, Hughes, Olague, W. Lee
 ABSENT: Antonini
 MOTION: 17045

13. 2004.0599C (B. FU:

(415) 558-6613)

1022 GILMAN AVENUE - east side, between Griffith and Hawes Streets, Lot 016 in Assessor's Block 4937 - **Request for Conditional Use** authorization pursuant to Planning Code Sections 121(f) and 303 to construct a single-family dwelling on a substandard lot with respect to lot width as the result of a lot split in an RH-1 (Residential, House, One-Family) District with a 40-X Height and Bulk Designation.

Preliminary Recommendation: Approval with Conditions

SPEAKERS: None

ACTION: Approved

AYES: S. Lee, Alexander, Bradford-Bell, Hughes, Olague, W. Lee

ABSENT: Antonini

MOTION: 17046

•RE GULAR CALENDAR

14. 2003.0465E (a.k.a. Case No. 2003.1210) (I.

NISHIMURA: (415) 558-5967)

5600 THIRD STREET RESIDENTIAL AND COMMERCIAL MIXED-USE PROJECT- revision of Mitigation Measure of Final Mitigated **Negative Declaration** - The proposed project would include demolition of approximately 110,700 square feet of vacant manufacturing and warehouse buildings and construction of a mixed use retail/commercial/social services development of approximately 277,340 square feet at 5600 Third Street (Assessor's Block 5421, Lots 3, 5, 6, 7, 8, 9, and 11), an approximately 136,750-square-foot (about 3.14 acres) site, bounded by Bancroft Avenue and Armstrong Avenue, within an M-1 (Light Industrial) District, Third Street Special Use District (SUD), and a 65-J Height and Bulk District, in the Bayview neighborhood. The eight-building project would include 260 units: 131 senior affordable housing units, 129 affordable for-sale townhouse units and flats, 165 off-street parking spaces in three ground level garages, and 8,840 gross square feet (gsf) of ground floor retail/commercial/social service space along Third Street and Bancroft Avenue. The proposed buildings would range in height from three to five stories (up to 52 feet tall). CEQA Guidelines Section 15074.1 states that a public hearing be held and findings made when a mitigation measure is revised/substituted in a Mitigated Negative Declaration for a project, and a determination be made that the revised/new mitigation measure, in itself, would not cause any potentially significant effect on the environment. This finding will be made during Commission consideration of the adoption of the proposed Planning Commission Motion of Approval of the proposed revised hazardous materials mitigation measure. The project would require Conditional Use Authorization from the Planning Commission for a Planned Unit Development and for residential uses in an M-1 District, which is a public hearing process. The Planned Unit Development would include modifications for residential density, rear yard configuration, no retail/commercial/social service parking and no off-street loading.

Preliminary Recommendation: Approve finding of no significant impact with revision of Mitigation Measure 2: Hazardous Materials of Final

Mitigated Negative Declaration.

SPEAKERS:

Steve Atkinson

1. Negative Declaration is incomplete and inadequate in a couple of respects.
2. 1) On the lack of discussion on the impact of the parking shortfall on near by businesses; 2) the lack of consideration of how a new residential project in an industrial area can affect the continuation of existing industrial operations.

Unclear name

- Not opposed to the project, but is concerned about the parking.

ACTION: Approved

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

MOTION: 17048

15. 2003.1210ECK (M. SNYDER:
(415) 575-6891)

5600 THIRD STREET - the block bounded by Third Street, Bancroft Avenue, Mendell Street, and Armstrong Avenue, Lot 3 ,5, 6, 7, 8, 9, and 11 in Assessor's Block 5421 - **Request for Conditional Use** authorization to allow residential dwelling units in an M-1 (Light Industrial) District pursuant to Planning Code Section 215, and to allow a Planned Unit Development pursuant to Planning Code Section 304, which would include exceptions to configuration of the rear yard (Planning Code Section 134), dwelling unit density (Planning Code Section 215), bay window obstructions (Planning Code Section 136(c)(3) and for parking (Planning Code Section 151). The Proposal includes demolishing the existing industrial structures on the lots and constructing a mixed-use development that would consist of three phases, and would include about 131 senior housing units, 129 other units, approximately 10,000 square feet of commercial space, and 161 off-street parking spaces. The project's buildings would generally be five-stories tall. The subject property is within an M-1 (Light Industrial) District, a Third Street Special Use District (lot 11 only), and a 65-B Height and Bulk District.

Preliminary Recommendation: Pending

(Continued from Regular Meeting of June 2, 2005)

SPEAKERS:

Pamela Simms – Redevelopment Agency

1. Asked the Commission to amend Condition 9 regarding the affordability because the language currently states that 88% of the units are subordinate. In fact, in order to obtained the private financing we would need to make these units affordable we will need 100% of the units to be subordinate.

Lydia Tam – Bridge Housing Corporation

1. Hopes the Commission will vote favorably on this project.

Kevin Wilcolk, Architect for the project

1. Gave an overall description of the project.

Kate White

1. This is a fabulous project.

2. It will be a beautiful and elegant design.

Marsha Pendergrass

1. She supports this project 100%, but is concerned that this is for sale housing; concerned with the number of parking spaces and the number of two bedroom units. If we are trying to keep a family community, the units are too small. We need three, four or larger [bedroom] units in our community.

Steve Atkinson

1. Concerned about several negative effects. First of all I am concerned that this is creating a very large parking shortfall because the project does not provide sufficient parking to meet its demands.

Steve Vettel

1. 34% of the for sale units are 3 bedrooms and 23% are 4 bedrooms.
2. There is no real parking shortfall associated with this project.

Ernestine Weiss

1. Approve this project because we need affordable housing, especially in this District.

ACTION: Approved as amended: The project sponsor is required to (1) disclosure to potential tenants of the current industrial nature of the area; (2) minor change in affordability subordination language of condition no. 9; and (3) that they receive appropriate approval by the Planning Commission under PC Sec. 295 to allow new shadow in Bayview Playground.

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

MOTION: 17049

16. 2003.0869E
(415) 558-5975)

(J. NAVARRETE:

88 FIFTH STREET - THE OLD U.S. MINT - Appeal of Preliminary Mitigated Negative Declaration - The proposed project is the rehabilitation plus seismic upgrade and addition to the United States Old Mint located at 88 Fifth Street in downtown San Francisco (Assessor's Block 3704, Lot 11). The existing three-story plus an occupied attic 99,921-gross-square-foot (gsf) building would be retained, and the first floor courtyard enclosed in 1973 for offices would be removed, (a deduction of 4,336 gsf), and additional circulation bridges, stairs and an elevator (addition of 2,642 gsf) would be added within the existing 4-story courtyard. The existing attic would be expanded on the roof along the south side of the courtyard to create a museum gallery (an addition of 1,554 gsf) with a view of the city skyline to the south. The courtyard removal and additions of bridges and roof gallery would result in an overall reduction of gsf, for a total floor area of 99,788 gsf. The building would include 79,957 square feet if usable space total including: 36,326 sf of City History Museum space, 2,082 sf

of Museum office space, 2,045 sf of museum back of house space, 2,044 sf of museum retail, and 3,336 sf of museum theater space. Tenants in the building would be the 8,153 sf Gold Rush and Money Museum, 2,492 sf of small retail lease spaces, and 6,360 gsf of restaurant space and cafe. 3,987 sf would be used for the San Francisco Visitor Center, and the remaining 11,108 sf would be circulation, toilets and support spaces ancillary to the museum use. The project would include closure of Jessie Street to vehicles, between Mint and Fifth Streets, to be used for outdoor restaurant seating. The project site is approximately 47,515 sq. ft., is zoned P (Public) within a 90-X height and bulk district, and within the Mid-Market St. Revitalization and Conservation District. Transaction document approvals would be required from the Board of Supervisors, and a Certificate of Appropriateness would be required by the Landmarks Preservation Advisory Board.

Preliminary Recommendation: Uphold Mitigated Negative Declaration
(Continued from Regular Meeting of June 16, 2005)

**APPEAL OF PRELIMINARY MITIGATE NEGATIVE DECLARATION
WITHDRAWN**

17. 2005.0459T (P. LORD:
(415) 558-6311)

PLANNING CODE SECTION 260 AMENDMENTS - Consideration of an Ordinance amending San Francisco Planning Code by amending section 260 to increase the height exemption for elevator penthouses from 10 to 16 feet, to allow the Zoning Administrator to grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Preliminary Recommendation: Approval with Modifications
(Continued from Regular Meeting of June 16, 2005)

NOTE: On June 16, 2005, following public testimony, the Commission closed the public hearing, and continued the matter to June 23, 2005 by vote +6 -0. Commissioner William Lee was absent. Public hearing remains open for any new information.
SPEAKERS:

None

ACTION: Without hearing, continued to July 28, 2005.

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,
Olague, W. Lee

18. 2005.0264D (I. WILSON:
(415) 558-6163)

2615-2623 PACIFIC AVENUE - South side between Pierce and Scott Streets, Lot 016 in Assessor's Block 0585 - **Mandatory Discretionary Review** under the Planning Commission's policy requiring review of dwelling unit mergers, of Building Permit Application No. 2003.06.22.7590, proposing to merge the five existing dwelling units in the building into one dwelling unit, located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and disapprove the project

SPEAKERS:

David Silvermann - Project Sponsor

- This building has been empty for the last 20 months.

1. This application would bring the building closer into conformance with the

prevailing dwelling unit density in the area.

2. Almost of all of the homes on this block are single-family homes.
3. This is a historical building, listed in the 1976 architectural survey.

Gregg Scott

1. It is very disingenuous of the owner to request a unit merger at this late day when all the prior proposals and drawings for this project show that they understood that they have to maintain the number of units.

Alex Pickas

1. She is not in favor of one unit at 1,600 or 1,800 square feet.
2. We need families living in Pacific Heights.
3. We need to maintain the number of units that we started out with.

Margo Park

1. Opposes the project.

Judith Duffy

1. Asked the Commission to uphold the City's policies, staff recommendations, neighborhood associations, and individual resident's wishes.

Paul Warmer

1. Asked the Commission to support the staff recommendations.

Courtney Clarkson

1. Supports staff recommendations.

Jane Sutton

1. Urged the Commission to follow their policies and not to reduce the number of units.

ACTION: Took Discretionary Review and disapproved

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes, Olague, W. Lee

19. 2004.0798D (M. SMITH:
(415) 558-6322)

2070 30TH AVENUE - east side between Pacheco and Quintara Streets, Lot 003M in Assessor's Block 2149 - **Request for Discretionary Review** of Building Permit Application No. 2004.01.26.4825, proposing to construct a two-story horizontal addition at the rear of a single-family dwelling, located in a RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications

(Continued from Regular Meeting of May 19, 2005)

NOTE: On March 3, 2005, following public testimony, the Commission continued the matter to April 21, 2005

to allow the Project Sponsor to hire an architect to present alternative designs and to continue to work with the neighborhood trying to reach an agreement on a design. Public Hearing remains open.

NOTE: On April 21, 2005, the Commission continued it to May 19, 2005. On May 19, 2005, without hearing, the Commission continued the item to June 23, 2005.

SPEAKERS:

Nancy Dennis

1. Asked the Commission to reject the proposed addition and recommend that the applicants build one story on top of their existing structure.
2. There is no getting around the fact that this story would rise 8 feet above our roof and drastically impact the lower level of our backyard.

Nick Phelps

1. My concerns about the addition are centered on the effect it would have on our lower patio area.

Unclear name

1. Spoke against this addition because of the impact it will have on her back yard.
2. She would lose her quality of life in her house.

Arlene Enos

1. Opposed to the project.

Anne Clark

1. Opposes the project.

Elizabeth Tracy

1. Concerned about the change of character in the neighborhood, reduction of open space, and an increase in population density that would cause impacts such as parking space.

Dorothy Janson

1. Opposed to the horizontal extension. If this extension is built her view would be become that of a 3-story blank wall.

Glenn Lou

1. Asked the Commission to approve the project.

Patricia Booth

1. We have outgrown our space and we need to provide our sons their own bedrooms

Jeffrey Lou

1. Asked the Commission to approve the project.

Connie Lou

1. Respectfully asked the Commission to approve the project.

Sandy Pham

1. In support of the project.

Carlos Dominguez

1. Supports the project.

C.J. Higley

1. This addition is very moderate and the negative impacts expressed by neighbors have been exaggerated.

ACTION: Did not take Discretionary Review and approve with modifications offered today by the project sponsor.

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Olague, W. Lee

NAYES: Hughes

20a. 2003.0295CDV
(415) 558-6257)

(G. NELSON:

899 NORTH POINT STREET - southeast corner of North Point and Larkin Streets; Lot 020 in Assessor's Block 0026 - **Request for Conditional Use** authorization pursuant to Sections 209.1 and 228.3 of the Planning Code to convert a service station use to residential use and to construct an approximately 40-foot tall, 4-story, 5-unit residential structure containing 7 off-street parking spaces in an RH-3 (Residential, House, Three-family) District, the Waterfront Special Use District No. 2 and a 40-X Height and Bulk District. The project site was formerly a service station and is now vacant. This project is also seeking a Variance from the Planning Code, and is the subject of a request for Discretionary Review.

Preliminary Recommendation: Approval with conditions

SPEAKERS: None

ACTION: Without hearing, continued to July 28, 2005

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

20b. 2003.0295CDV
(415) 558-6257)

(G. NELSON:

899 NORTH POINT STREET - southeast corner of North Point and Larkin Streets; Lot 020 in Assessor's Block 0026 - **Request for Discretionary Review** of Building Permit Application No. 2003.04.25.3201, proposing to construct an approximately 40-foot tall, 4-story, 5-unit residential structure containing 7 off-street parking spaces in an RH-3 (Residential, House, Three-family) District, the Waterfront Special Use District No. 2 and a 40-X Height and Bulk

District. This project is also seeking a Variance from the Planning Code, and requires Conditional Use authorization.

Preliminary Recommendation: Take Discretionary Review and approve the project with modifications.

SPEAKERS: None

ACTION: Without hearing, continued to July 28, 2005

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

20c. 2003.0295CDV

(G. NELSON:

(415) 558-6257)

899 NORTH POINT STREET - southeast corner of North Point and Larkin Streets; Lot 020 in Assessor's Block 0026 - **Request for Variance** from the rear yard requirements of Planning Code Section 134. The proposal is to construct an approximately 40-foot tall, 4-story, 5-unit residential structure containing 7 off-street parking spaces in an RH-3 (Residential, House, Three-family) District, the Waterfront Special Use District No. 2 and a 40-X Height and Bulk District. A Variance is required to construct an approximately 40' X 22' portion of the project fully into the rear yard along North Point Street, leaving a comparable rear yard to the interior corner of the lot of approximately 1,480 square feet. This project also requires Conditional Use authorization, and is the subject of a request for Discretionary Review.

SPEAKERS: None

ACTION: Without hearing, continued to July 28, 2005

AYES: S. Lee, Alexander, Antonini, Bradford-Bell, Hughes,

Olague, W. Lee

6:30 P.M.

21a. 2002.0805RTZ

(M. FOSTER

(415) 558-6362)

MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider proposed amendments to the Mid-Market Preliminary Plan, **Adopting Amendments to the Mid-Market Preliminary Plan, and Making CEQA findings and findings of General Plan Conformity** related to the Mid-Market Redevelopment Plan as amended.

Preliminary Recommendation: Adopt Amendments to the Mid-Market Preliminary Plan and make CEQA findings and findings of Conformity of the Mid-Market Redevelopment Plan, as amended, with the General Plan.

(Continued from Regular Meeting of June 9, 2005)

SPEAKERS:

Richard Marquez, Coalition to Save Mid-Market

1. Mid-Market is a neighborhood. It is a place where people live and labor.
2. Small business owners are concerned that they are going to be forced to move away from the neighborhood.
3. This area is home for a lot of senior citizens.
4. Almost everyone in Mid-Market can barely afford \$500.00 [a month] in rent. And everyone pays less than \$1,000 in rent.
5. The community plan calls for a much deeper level of affordability so people who live there can stay there.
6. We are concerned about pedestrian safety and public traffic in this area.

Sam Deutch, Coalition to Save Mid-Market

1. It is interesting to see the reinvention of redevelopment.
2. Quoted Justin Herman quoted -- "the land in San Francisco is too valuable for the poor to park on it." He was talking about South of Market.
3. Subsequently, what followed was 30 years of demolitions and evictions that eliminated thousands and thousands of units of affordable housing.
4. How did we end up in this situation of un-affordability?

Tamara Cooper, San Francisco Beautiful

1. San Francisco Beautiful supports the provisions within the SUD document that stated that billboards would not be permitted within the Mid-Market area.

Bruce Allison, Living Way Coalition

1. When Moscone Center was built they actually displaced 2000 people. That started the homeless problem in the City.
2. Do you want to start another homeless problem in the City?

Steven Aiello, Green Belt Alliance

1. Green Belt Alliance definitely supports the Mid-Market Plan.
2. However, we are concerned about displacement.
3. It is a very human thing to consider what effects something like this would have on the existing residents.
4. It is also very important to look at the future potential of plans like this, to bring new residents in, and to continue the vital growth that any city needs.

Valerie O'Donnell, Tenderloin Neighborhood Development Corporation

1. Asked the Commission to support the Redevelopment Agency plan.

Tracy (unclear last name)

1. This is a very positive plan for the City.
2. Urged the Commission to go forward and approve this plan.

Jim Ruben

1. The Trinity Plaza project is physically within the boundaries of what is intended to be the SUD.
2. Wanted to make the record clear so that everybody understands this is a very special case. The newspaper reported accurately that we are in process of negotiating a development agreement.

Kathy Looper

1. There have been a lot of landmarked buildings demolished in the City.
2. After those beautiful building were torn-down, for years we've had nothing to replace them.
3. Here we are again. We are going to do the same thing and I wonder why?
4. It has taken 40 years for communities to recover from redevelopment. All you have to do is look at South of Market, at Fillmore Street and some parts of Van Ness Avenue.
5. Do we need to do this again to Market Street?
6. Market Street is on the threshold of revitalizing itself.

Unclear name

1. Urged the Commission to approve the plan.

Jose Moreno, Housing Action Coalition

1. The coalition overwhelmingly supports the plan

Jerry Longoria

1. Asked the Commission not to pass this plan.

Prince Bush

1. Does not support the plan.

Michael Dugay

1. Does not support the plan.

Bobbie Duke

1. We are not necessarily opposed to redevelopment as long as we, those in the target area, have a voice in it. As long as our situations improve.

Susana Bell

1. If the Mid-Market Plan goes through, will be forced out of her house, and would also have to pay for her medical coverage

Marie Gomez

1. If this plan goes through I would have to move out.
2. She needs her affordable housing.
3. Do not throw us out from what we call home.

Darrell Cornelius

1. Redevelopment has never been in the best interest of improving the community.
2. These people are displaced. And now you want to take the little they have left and turn them into homeless.

Sammy Shepperd

1. Does not support this plan.

Unclear name

1. Does not support the proposed plan.

Lolita Quintanara

1. We need to keep the nature of South of Market as it is.
2. Do not displace organizations or people.
3. Any development must incorporate these features.

Bruce Livingston, Senior Action Network

1. Would like to see a living space for people to stay in the neighborhood that always lived in the neighborhood--people who are low income.

Randy Right

1. Would like to see a Mid-Market that refreshes itself. One that fluctuates with the people and has livable and affordable rental units.

Lyann Shehan, Bicycle Coalition

- We need to keep safe and sustainable transportation options throughout this area.

Sharon Brinkley, Pedestrian Safety Advisory Committee

1. Keep in mind the fact that this is a very busy transit area and we do not need more cars there.

Jason Henderson

1. Does not support the plan

Sue Vaughn

1. Concerned about parking.

Susan King

1. Strongly requested that the Commission reject this plan.
2. We do not need another redevelopment area.

Howard Strauss, Sierra Club

1. Supports the plan.

George Jones

1. Does not support the plan.

Ken Warner

1. The goal of this plan is the gentrification of Mid-Market and to build million dollar condos and multi-million dollar condos.
2. We have struggled to maintain affordable housing in the heart of the City. We claimed that victory.

Unclear name

1. Tenants already have enough trouble keeping affordable housing without this plan.

Leonard Brown

1. The life support system for the main core of people that live in the Tenderloin is much needed. Doing this redevelopment, people will be displaced who need the services that are located in the Tenderloin.

Norma Smith-Willson

1. We need more affordable housing, SROs and senior housing.
2. We do not need more cars in the area.

Brian Eck

1. We have been fighting for years to get our voices heard. Essentially, we are against redevelopment in the Mid-Market.

Robert Gray

1. Asked the Commission not to pass this plan.

Charlene Gutter

1. What is been proposed for the Mid-Market area is high priced housing for computer and other professionals.
2. What is being left out of the equation are the poor and other creative people who are having difficulty affording this.
3. Most people who live in this area are here because of rent control and accessible public transportation.

Eva Johnson

1. To redevelop any part of San Francisco, or any part in the United States, you need to look at the other people--not just the seniors or the rich people--but the people that are in transition.

Terry Fries

1. Spoke against the redevelopment plan.

Eduardo Gonzalez

1. We do not need redevelopment that displaces poor people.

Effrain Rodriguez

- Is against the redevelopment plan
Bill Murphy

1. I am too poor to be able to afford another place to live.
2. Does redevelopment include poor people?

Stafford Parker

1. We cannot afford the proposed expensive condos. We need affordable housing.

John Elberling

1. This project is going to drive a lot people out of their home.

Philip Milton

1. We need more affordable housing. We need to build a better neighborhood that would include us, the poor people.

Randi Wrytt

1. Our Mid-Market redevelopment needs to be something more than buildings. It needs to be a place that refreshes itself. One that can fluctuate within the years and be part of the people of San Francisco.

Louis Ligouri

1. Is in favor of the Mid-Market project.
2. The area is in need of renovation. It is an infected area.

Brett Gladstone

1. Asked the Commission to approve the plan.

Samuel Noily

1. Spoke against the redevelopment plan.

Calvin Welch

1. Spoke in support of the redevelopment plan.

Larry Petit

1. Opposes the redevelopment plan.

Lisa Garcia-Gray

1. This plan is not speaking to the real residents of Mid-Market.
2. The poor residents of Mid-Market do not have power and million dollar contract behind them.

Booh Eduardo

1. Respectfully requested that the Commission hold the Redevelopment Agency accountable for their actions.

Elizabeth Alexander

1. Spoke against the redevelopment plan.

Gen Fujioka

1. Urged the Commission to reject the proposed plan.
2. The proposed plan failed to address the potential or likely discriminatory impact on the poor people of this neighborhood

Robert Lazzara

1. Urged the Commission to consider parking in order to keep the miracle of the theaters in the area alive.

Keith Savage

1. Urged the Commission to consider that all the people who will be displaced will be out on the street without training. Provide or create training for them.

Greg Holland

1. Supports the plan.

Tom Hart

1. The Mid-Market plan will give the area the ability to try to make some changes that bring about good in the area.

Scott Houghton

1. Concerned about the short-term parking.
2. Parking is adequate right now but can be inadequate on the nights when all theaters are open.

C. J. Higley

1. There has been a lot of misinformation about this project.
2. In addition to the affordable housing dollars that the plan would generate, the tax increment financing will also create placement improvements that will make Mid-Market an honest to goodness residential mix-use neighborhood. Improvements like trees, street furniture, pedestrian improvements and transportation options.

Sharon Slater

1. Supports the plan.

Chris Peterson

1. Supports the concept that this plan is encouraging--high density development in the Mid-Market as long as there is adequate protection provided for those who already live there.

Pam Hagen

1. Is in support of the plan.

Linda Coeso

1. Urged the Commission to pass the plan so we can start seeing the positive impacts of it soon.

Elizabeth Vanclute

1. Spoke in support of the plan.

David Yee

1. Parking availability is necessary for those who live and work in the Mid-Market area. Especially for the theater patrons.

David Hart

1. Support the plan.

Karl Olson, Attorney for the Hearst Corporation

1. The Hearst Corporation objects on behalf of its property at 901 Mission Street within the District.
2. We are concerned about the SUD as currently configured because it could interfere with the development and renovation rights of property owners.
3. The Hearst Corporation also believes that its property at 901 Mission St. has little in common with the rest of the proposed SUD, specifically some of the blocks of Market Street between 6th and 9th, and the Tenderloin blocks north of Market St. in the SUD.
4. The apparent emphasis on housing in the area also may conflict with the development and use of the Chronicle commercial property in the area.
5. The Hearst Corporation does not want to be forced to develop its property for housing or for any particular use.

Kate White, Housing Action Coalition

1. One of the only ways to secure permanently affordable low income housing is to create a redevelopment area.
2. The history of redevelopment is tragic and abominable.
3. To those who oppose this plan, I would like to know what is their solution for creating affordable housing, for allowing poor people to stay in Mid-Market, what is their solution?

Jeffrey E. Auman

1. Spoke against the redevelopment plan.

Gary Huck

1. The Redevelopment Agency is a shame and a cancer on the City of San Francisco and should be abolished.

George Williams, SPUR

1. SPUR wholeheartedly supports the plan and SUD.

Alma Robinson, California Lawyers for the Arts

1. Spoke in support of the plan.

Starr Davis

1. Support the plan.

Carolyn Diamond, Market Street Association

1. Spoke in support of the plan.

Susan Bryan

1. Opposes the proposal as is.

Rick Galbreath, San Francisco Arts Task Force

1. Opposes the proposed amendments.

Steven Viscio

1. Is in support of the plan.

Byron Yee

1. Supports the plan.

Michael Nulty

1. Is opposed to the project.

Laurie Hampton

1. Opposes the proposed plan and amendments.

Dan Waldman

1. Is in support of the plan.

Randy Shaw

1. Urged the Commission to pass the SUD.

Jim Haas

1. Asked the Commission to endorse the plan.

Craig Adelman

- Spoke in support of the plan.

Sarah Menefee

1. Opposes the project.
2. People's lives should be improved. But this is not the way to do it.

Kathleen Diohep

1. In support of the plan.

Raquel Fox

1. Spoke in opposition to the plan.

Paul Hogart

1. This is a very beautiful City but it is hard to move here and harder to stay here.
There is not a lot of affordable housing in the City.

April Veneracion

1. Opposes the plan.

Steve Vettel

1. This plan is very well balanced and the combination of the redevelopment plan and the SUD rezoning will do what it is intended to do.

Alice Barkley

1. Against the Redevelopment Agency managing the project.

Jim Salinas

- In support of plan.

Casey Mills

1. Do not pass this redevelopment plan.

Jeremy Olson

1. Opposed to this plan.

Andrew Wood

- Opposes the plan.

ACTION: Approved as amended:

In order for the Redevelopment Plan to be in conformity with the San Francisco General Plan, the delegation agreement between the San Francisco Planning Department and the Redevelopment Agency for this Redevelopment Plan shall include specific language that the Planning Department shall carry out all planning work

identified in the Redevelopment Plan, and shall provide specific funding for the Planning Department to carry out such work, including but not limited to transportation and parking management plans; transit, open space and street improvements; the establishment of urban design guidelines, and other specific implementation plans and programs. The Commission also acknowledges that said delegation agreement shall be presented to the Commission for its approval at a future date.

AYES: S. Lee, Alexander, Antonini, Hughes, and W. Lee
 NAYES: Olague
 ABSENT: Bradford-Bell
 MOTION: 17050

21b. 2002.0805RTZ (M. FOSTER (415)
 558-6362)

MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider a resolution to **Approve Proposed Amendments to the Planning Code** (Adding Section 249.27 and 263.18, and amending Sections 102.9, 123, 145.4, 153, 155.5, 166, 167, 204.3, and 309). Proposed amendments will establish the Mid-Market Special Use District and make related text and changes to the Planning Code pursuant to the proposed Mid-Market Redevelopment Plan and Special Use District.

Preliminary Recommendation: Approve Draft Resolution
 (Continued from Regular Meeting of June 9, 2005)

SPEAKERS: Same as Item 21a.

ACTION: Approved as amended:

As part of the approval of the Special Use District, the Board of Supervisors requires that a study be undertaken to consider a) the imposition of a mitigation fee to address the impacts of providing additional parking which would require a Conditional Use review, and b) the creation of a system to provide for the transferability of parking rights from one site to another site within the Special Use District. The Commission recommends that the Board of Supervisors encourage the San Francisco Redevelopment Agency to jointly fund this study.

AYES: S. Lee, Alexander, Antonini, Hughes, and W. Lee
 NAYES: Olague
 ABSENT: Bradford-Bell
 RESOLUTION: 17051

21c. 2002.0805RTZ (M. FOSTER (415)
 558-6362)

MID-MARKET REDEVELOPMENT PLAN AND SPECIAL USE

DISTRICT - Assessor's Blocks 0341; 0342; 0350; 0351, lot 035; 0355; 3507, lot 039; 3508; 3509, lots 002, 018, 019, 036, 037, 040, 041, 042, and 043; 3510, lot 001; 3701; 3702, excluding lots 015, 016, 029, 031, 032, 033, 034, 035, 036, 055, and 056 (eastern portion); 3703, excluding lots 004, 005, 006, 027, 028, and 029; 3704, lots 025, 026, 049, 050, 051, 052, and 053; 3725, lots 078, 082, 086, 087, 088, 089, 090, 091, and 093; 3727, lots 001, 091, 094, 096, 097, 101, 102, 103, 109, 117, 118, 120, 130, 134, 168, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, and Block 3728, lots 001, 072, 075, 076, 081, 082, 083, 089, and 103. The Commission will consider a resolution to **Approve Proposed Amendments to the Zoning Map** (Amending Maps 1SU, 2SU, 7, and 7SU). Proposed amendments will establish the Mid-Market Special Use District, and reclassify several parcels from C-M, C-3-S and SLR to C-3-G pursuant to the proposed Mid-Market Redevelopment Plan and Special Use District.

Preliminary Recommendation: Approve Draft Resolution

(Continued from Regular Meeting of June 9, 2005)

SPEAKERS: Same as Item 21a.
 ACTION: Approved
 AYES: S. Lee, Alexander, Antonini, Hughes, and W. Lee
 NAYES: Olague
 ABSENT: Bradford-Bell
 MOTION: 17052

G. PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Commission has closed the public hearing, your opportunity to address the Commission must be exercised during the Public Comment portion of the Calendar. Each member of the public may address the Commission for up to three minutes.

The Brown Act forbids a commission from taking action or discussing any item not appearing on the posted agenda, including those items raised at public comment. In response to public comment, the commission is limited to:

- (1) responding to statements made or questions posed by members of the public; or
- (2) requesting staff to report back on a matter at a subsequent meeting; or
- (3) directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

None

Adjournment: **11:41**
P.M.

**THESE MINUTES WERE PROPOSED FOR ADOPTION AT THE
REGULAR MEETING OF THE PLANNING COMMISSION ON
THURSDAY, March 2, 2006.**

SPEAKERS: None

ACTION: Approved

AYES: S. Lee, Antonini, Bradford-Bell, Hughes, Olague, W. Lee

ABSENT: Alexander

36682



